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Three Mile Island Alert

Island Updates

News Watch on the
Harrisburg Area

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A8—Sunday Patriot-News, Harrisburg, Pa., January 20, 1985 B

NRC choice is basic: Satisfy caution or weariness

By MICK ROOD
Washington Bureau
WASHINGTON — Even for an attorney well aware that the Three Mile Island Unit 1 restart is the most complex case the Nuclear Regulatory Commission has handled, the choice before the commissioners is a relatively simple one.

As Martin G. Malsch, NRC deputy general counsel, put it to the commissioners last week, "We do have competing values."

Does the commission want to satisfy the need to hold further hearings in the interest of the public health and safety, Malsch asked, or does the commission want to satisfy the need to make a decision more than five years in the making?

ON THE FIRST point, Sen. Arlen Specter, R-Pa., wrote to the NRC last week that "the NRC simply must not make a restart decision until all safety and management integrity issues have been conclusively resolved."

On the second point, GPU Nuclear President Philip R. Clark has said, "It would be unnecessary and unfair to continue to defer..." The lengthy time which has passed has seen new issues arise. This is not unique to TMI. Additional questions and issues are always being raised and addressed at every nuclear plant.

On Wednesday, at a meeting that had been expected by some to be crucial to electricity ever again flowing from the Unit 1 reactor in Londonderry Twp., near Middletown, Pa., five divided commissioners resolved nothing.

"I CAN SEE we're not as of one mind," observed the TMI-weary NRC chairman, Nunzio Palladino. Palladino asked his colleagues



NRC's James Assestine
Wants broader hearings

to be ready to discuss in two weeks the need for further hearings on the management integrity of GPU Nuclear before a restart vote. Beyond integrity issues, the NRC staff has said virtually all of the hardware safety changes recommended in the 1979 shutdown order on Unit 1 have been made by GPU Nuclear. If the latest repairs on steam generators at Unit 1 meet with NRC staff approval, the plant will be physically ready in March, GPU officials have said.

But from everything that can be drawn from the public record, the NRC is still months away from a final decision. Here is why:

COMMISSIONER Lando W. Zech, who was most vocal at the meeting Wednesday about reaching a prompt decision, said he didn't want to vote on the Unit 1 restart until an NRC licensing board ended hearings on the adequacy of operator training at Unit 1. (The hearings ended Friday.)



Sen. Arlen Specter
"Management integrity"

Asked after the meeting for clarification, Zech said he meant a restart vote should await the decision of the licensing board on training. Attorneys for two parties to the case said Friday they don't expect the board to rule until March at the earliest.

By that time the commissioners should also have a board decision on the so-called [Herman] Dieckamp-Mallgram issue, in which the veracity of the General Public Utilities Corp. president and other utility officials was questioned at the time of the Unit 2 accident in 1979.

FOUR OF THE commissioners also said they want to see a final set of hearings held on the 1978-79 cooling water leak rate falsification at Unit 2, for which Metropolitan Edison Co. already has been convicted on one count of criminal misconduct.

Attorneys participating in that set of hearings have yet to start



Rep. George W. Gekas
Wishes NRC "bon voyage"

"discovery," the process by which attorneys on all sides ask questions of witnesses and each other. Discovery could take two months or more, the attorneys said. Hearings and a decision might take until late summer, they said.

There are two points of dispute affecting the date of a restart vote.

FIRST, PALLADINO and Zech want the hearings narrowly focused and therefore brief. They intend to follow roughly the NRC general counsel office's advice to consider only the "segregation" from Unit 1 any operators who were involved in falsifying leak rate records at Unit 2 six years ago.

Commissioner James Assestine wants the leak rate hearings to be much broader, to take more time.

"It's not just which individuals participated in and knew of" the rigging of leak rate records, Assestine said, "it also should be to



NRC's Nunzio Palladino
"We're not of one mind"

what extent management was responsible" for breaking the law. Commissioner Frederick Bernthal didn't commit himself along those lines, but said he would take "a liberal point of view on added hearings."

SECOND, WHILE the commissioners seem ready to await an operator training decision from the licensing board, they said nothing about waiting for the leak rate hearings and decision. NRC attorneys have said it would be legal to forgo any further hearings and vote on the restart, precisely what Specter and dozens of other Pennsylvania officeholders have counseled against.

(A majority of commissioners have pledged publicly to factor the criminal conviction of Metropolitan Edison, GPU Nuclear's predecessor operating company, into the restart decision. But anti-restart intervenors want to get as much of the grand jury evidence on the



GPU's Herman Dieckamp
The Mailgram issue

public record as they ran — particularly evidence bearing on how high in the chain of command leak rate rigging approval went.)

So, barring unforeseen new developments that have become commonplace at TMI, or radical changes of mind by the commission, the restart vote could occur as early as March or as late as summer.

U.S. REP. GEORGE W. Gekas, R-Harrisburg, was the only member of the audience at Wednesday's indecisive meeting who was allowed to speak. Once he learned there would be no restart vote and TMI issues would only be reviewed, Gekas was relieved.

"We wish you bon voyage in these proceedings," Gekas said — meaning farewell, have a good trip and a happy return.

The NRC started the restart decision voyage more than five years ago, has had a rough trip and has yet to return.

Friday, Jan. 18, 1985 The Philadelphia Inquirer

NRC might have lied about Three Mile Island probe, Congress is told

By Susan FitzGerald
and Jim Dejen

The U.S. Justice Department has told Congress that it is investigating whether any Nuclear Regulatory Commission official lied about an inquiry into the falsification of safety records at the Three Mile Island nuclear station.

The department said in a letter that it believed such a misstatement was made to Justice officials and to a

congressional committee, and added that the action could amount to "prosecutable criminal misconduct."

Victoria Toensing, deputy assistant attorney general, disclosed the matter in a letter to U.S. Rep. Morris Udall (D., Ariz.) earlier this month.

A Justice Department spokesman declined to say yesterday whether the department's investigation was part of a continuing probe by a federal grand jury meeting in the District of Columbia. Federal sources said the grand jury was examining

whether NRC employees engaged in criminal conduct during agency investigations of TMI and the William H. Zimmer nuclear plant near Cincinnati.

In the letter to Udall — who is chairman of the House Committee on Interior and Insular Affairs, which has jurisdiction over the NRC — Toensing stated that the Justice Department had gathered information leading it to believe that it was "misled by the NRC" at an August 1983 meeting and that "erroneous information" may thus have been passed on to Congress.

Discussions at that meeting centered on whether the NRC knew in 1981 that it could go ahead with an investigation into allegations of falsified records at TMI despite a criminal investigation of the same allegations by the Justice Department.

The NRC has maintained that it was unaware, because of a mix-up in communications, that it could pursue its own investigation. The Justice Department has said it told the

NRC that it could proceed with an inquiry.

The allegations of falsified records were made by Harold Hartman, a former TMI control-room operator. He told NRC investigators in May 1979 that TMI employees routinely falsified and destroyed records on whether excessive water was leaking from the Unit 2 reactor's cooling system in the months before the March 28, 1979, accident.

Metropolitan Edison Co., which operated TMI at the time of the acci-

dent, pleaded guilty or no contest in February to seven counts of an 11-count indictment stemming from those allegations.

In a separate matter, an NRC spokesman said the agency's Office of Investigations was conducting another probe into the use of a massive crane in the cleanup of the TMI Unit 2 reactor. Three TMI engineers alleged in 1983 that safety reviews were being short-circuited in the repair of the crane.

Anti-nuclear groups plan to keep the publicity heat on this week.

TMI-Unit 1 restart intervenors Norman and Majorie Aamodt of Coatesville, Pa., have scheduled a news conference today at which they are expected to accuse the NRC of a "coverup" in withholding evidence of severe health effects from the Unit 2 accident in 1979.

The Aamodts drew an angry denial from NRC Chairman Nunzio Palladino with similar charges before. But Francine Taylor, who helped Aamodts with an informal health survey in 1984, claims there is new evidence to support their claims.

After the NRC meeting tomorrow, the Union of Concerned Scientists, another intervenor in the TMI case, will release a critique Thursday of the NRC's performance on the agency's 10th anniversary. The review is expected to include severe criticism of the commission's handling of the TMI restart proceeding.

Broad-based opposition to Unit 1 restart is building

By MICK ROOD
Washington Bureau

WASHINGTON — Opposition from a broad political spectrum began building again yesterday in anticipation of a decision to restart the dormant Three Mile Island Unit 1 nuclear plant.

Anti-nuclear activists held a news conference here at which they speculated the Nuclear Regulatory Commission was about to announce a TMI-Unit 1 restart voting date. They also speculated that GPU Nuclear's operating license would be approved on that date.

The NRC is scheduled to meet publicly at 2 p.m. tomorrow to decide whether further hearings and recommendations on GPU Nuclear management integrity are necessary before a restart decision. Anti-nuclear activists believe the hearings will be ignored in favor of a decision — perhaps yet this month.

"Suddenly, they don't feel hearings are necessary, and they can go ahead and turn this thing on," said Lanny Sinkin, director of the Nuclear Information and Research Service of Washington.

The licensing board now meeting in Harrisburg was ordered to convene last year when an NRC appeals board decided that important management integrity evidence had not previously been con-

sidered in the 5-year-old restart proceeding. The new board has finished hearings on allegations the utility didn't pass on crucial TMI-Unit 2 accident data in 1979 and is expected to finish hearings on GPU Nuclear's training program, but has yet to start hearings on water-leak-rate alterations at both TMI units.

"Restarting the plant would make the hearings useless," said

attorney Joanne Doroshow, who along with attorney Lynne Bernabei represented TMI Alert Inc., an intervenor group opposing the restart.

Their view appeared to dovetail in the TMI context with those of Republican Gov. Dick Thornburgh and U.S. Rep. George Gekas, R-Harrisburg, whose district includes the Londonderry Twp. home of TMI.

A spokesman for the governor confirmed yesterday that Thornburgh is not satisfied that a six-point list of safety assurances he announced last Aug. 15 as being necessary had been met. The points included assurance of TMI-Unit 2 funding and completed hearings on Unit 2 accident communications, training and leak-rate allegations.

Thornburgh spokesman Re-

tence that the Nuclear Regulatory Commission make the decision that our community wants it to make. By referendum, by editorial, by common conversation, we have made it clear that we do not want TMI Unit 1 to be restarted," Hochendoner said.

He said "It appears likely" that the NRC will make its final decision within the next two weeks. Wambach said all safety issues concerning the island should be addressed, "then they can make a decision."

The Atomic Safety and Licensing Board is currently hearing testimony on testing and training practices by General Public Utilities, the operator of TMI. Those hearings are being held at the Uni-

versity Center at Harrisburg, North Front Street.

In a related matter, Minnich said the county yesterday received a check for \$95,356.80 from the Pennsylvania Emergency Management Agency. The check, the first of four installments that will bring the county \$350,000 in the next two years, will be used to improve the county's ability to respond to emergency situations at TMI, Minnich said.

Dauphin is one of 12 county governments to share in the \$1 million fund, provided by the operators of TMI and administered by PEMA under a federal court order.

Minnich said municipalities will receive funds from the portion allotted to Dauphin County.

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ting that the Nuclear Regulatory Commission make the decision that our community wants it to make. By referendum, by editorial, by common conversation, we have made it clear that we do not want TMI Unit 1 to be restarted," Hochendoner said.

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—The Evening News, Harrisburg, Pa., Sunday, Jan. 13, 1985

Judge OKs \$3.9 million for TMI suits

By MARY WARNER
Staff Writer

A Dauphin County Court judge has approved more than \$3.9 million in settlements of injury claims resulting from the 1979 accident at Three Mile Island.

The largest — in a claim filed for a Down's syndrome child — was for \$1,095,000.

The settlements, all reached out of court, had to be approved by a judge because they involved claims on behalf of children or of the estates of adults who have died since the accident.

A statement issued yesterday by the insurance companies representing the nuclear plant's operators indicated the claims were being settled without regard to the evidence, strictly to avoid the expense of trials.

"These settlements represent an economic decision arrived at by the insurance companies and do not constitute an admission of liability by the companies involved, General Public Utilities Corp. and Metropolitan Edison Co.," the statement said.

"In exchange for payments to the claimants by the insurance companies, all of the defendants in the settled cases are being given general releases from claims of liability."

It could not be learned how much money was involved in the settlements that did not require court approval. Plaintiffs and defendants have agreed not to discuss the settlements, the statement said.

In all, the statement said, "the great majority of 300 personal injury claims" were being settled out of court.

Doug Bedell, a spokesman for TMI operator GPU Nuclear Corp. released the statement. He had no other comment.

The settlements approved by Judge William W. Lipsitt closed claims by 70 children and three estates.

A group of 19 settlements approved yesterday included \$855,000 for Gabriella Eisen of Harrisburg, an infant born since the accident who suffered cerebral palsy, and \$1,095,000 for 5-year-

old Bradley R. Baker of New Cumberland, a Down's syndrome child. Court documents said Bradley, born just over nine months after the accident, suffered the disorder, which includes mental retardation.

His parents Blaine and Deborah Baker were among 62 plaintiffs in a 1981 suit that sought damages for injuries allegedly linked to the March 28, 1979, accident at the Londonderry Twp. nuclear plant.

The suit said the plaintiffs "most probably came into physical contact with some radioactive debris," which "was dispersed throughout a large area."

Defendants in the suit were General Public Utilities Corp.; its subsidiaries, Metropolitan Edison Co., Jersey Central Power & Light Co., and Pennsylvania Electric Co.; plant designer Babcock and Wil-

cox and its parent company J. Ray McDermott & Co.; and engineer Burns & Roe.

"Based on the extreme difficulty in establishing the connection between low level radiation and Bradley's illnesses, the petitioners believe the offer of settlement is fair and equitable," plaintiff's attorney Lee Schwartz said in his petition seeking Lipsitt's approval of the \$1,095,000 settlement.

The Bakers also entered a claim for their daughter Jennifer, now 6, for physical damage and emotional and mental suffering. The settlement in her case was \$28,500.

The settlements approved by Lipsitt were in two groups. One group, approved yesterday, included 19 settlements totalling \$3.3 million.

One-third of the money will go for contingency fees for the law firms of Hepford, Schwartz, Menaker & Morgan and Levin & Fishbein and, in some cases, attorney Richard Jameson and the firm Friedman and Friedman.

It was not always clear from court documents whether the addresses listed for the plaintiffs were for the time of the accident, the time of the suit or now.

Besides the Baker and Eisen cases, the settlements yesterday were:

\$47,500 for Maryella Durborow, 17, daughter of William and Catherine Durborow, claiming physical damage and emotional pain.

\$47,500 for Rennie Crossman, 16, child of Kenneth and Barbara Crossman of Richmond, Va., claiming physical and genetic damage.

\$264,000 for the estate of Joseph Dowden, who died of cancer at age 53 in September 1981. The address of the executor of the estate was Glen Cove, N.Y.

\$116,500 for the estate of Evelyn Gordon of Harrisburg, who died of a heart attack in November 1980 at the age of 64.

\$170,000 for the estate of Gilbert Monnell of Harrisburg, who died of a heart attack at the age of 66 in 1979.

\$123,500 for the estate of Carl Hesa, who died of a heart attack last year at age 56.

\$415,000 for Samantha Yienst, 5, daughter of Richard and Kathleen Yienst of Duncannon, claiming congenital heart defects and other physical and genetic damage.

\$9,500 for Jennifer L. Yienst, 7, also the daughter of Richard and Kathleen Yienst, claiming emotional trauma and physical and genetic damages.

\$15,200 for Stacey Schuchman, 5, daughter of Donald and Judith Schuchman of York Haven, claiming emotional trauma and physical and genetic damage.

\$5,700 for Greg M. Schasse, 5, son of Terry Schasse of Salem, Ore., claiming emotional trauma and physical and genetic damage.

\$19,000 for Barbara Martin, 13, daughter of Robert and Marie Martin of Etters, claiming emotional trauma and physical and genetic damage.

\$20,900 for Elizabeth Malestestnic, 15, daughter of Mark and Kathleen Malestestnic of Steelton, claiming emotional trauma and physical and genetic damage.

\$15,200 for Matthew Malestestnic, 9, also son of Mark and Kathleen Malestestnic, claiming emotional trauma and physical and genetic damage.

\$15,200 for Charles Malestestnic, 17, also son of Mark and Kathleen Malestestnic, claiming emotional trauma and physical and genetic damage.

\$9,500 for Kelly E. Hare, 14, daughter of Ellen Hare of Penbrook, claiming emotional trauma and physical and genetic damage.

\$9,500 for Joshua Chubb, 9, son of Julia Chubb of Middletown, claiming emotional trauma and physical and genetic damage.

TMI pollution

EDITOR:

WHEN TMI reared its ugly head people in Central Pennsylvania and over the world as we know it, learned of the realities of that plant situated in our midst. It was not born of love, respect and clarity; it was conceived in greed, chaos and the air of a slow death. Furthermore the prospect of sudden death looms over us minute by minute.

We the people in this area voted no in what was termed a "non-binding referendum." I ask, is the filth we breathe from that place, is the cancer eating our neighbors alive, is the death that has already claimed friends and loved ones through grotty cancer "non-binding?"

I for one am weary of saying no over and over and over and over. My children understand no when they hear or read it. It is, therefore, difficult for me to understand why the word of the people is non-binding while profit mongers and death brokers are free to play at "caring" whether we the people matter. We answered no — why does it (the question) keep popping up?

I now want to ask a question: What does TMI have to do with love?

—India Garrett, Harrisburg

Joseph Moody, 7, and Christine Moody, children of James and Kathleen Moody of Dillsburg.

Craig Beible, 13, and Melissa Beible, 8, children of Paul and Wendy Beible of York Haven.

Nathan Bare, 11, and Natalie Bare, 9, children of Terry Bare of Columbia.

Michael Halterman Jr., 16, and Paul Halterman, 14, sons of Michael Halterman of Mount Joy.

Jennifer Petrone and Jessica Petrone of Dillsburg, daughters of Roger Petrone of Dillsburg.

Lisa H. Brody, 15, and Amy Brody, 13, of Tampa, Fla.

Joseph Geltz Jr., 9, son of Joseph and Marylo Geltz of Columbia.

Ruth Hoover, 16, Joy Hoover, 15 and Lams Hoover, 14, of Columbia.

Gerard W. Ingold, 8, son of Gerard and Donna Ingold of Verona.

James R. Klinedinst Jr., son of James R. and Carla Klinedinst of York Haven.

Gina Metzgar, 16, daughter of Lewis and Sall Metzgar of Mount Joy.

Elizabeth Ropka, 17, Thomas Ropka, 12, and Richard Ropka, 6, children of Richard V. and Connie Ropka of Bainbridge.

Edridge Sardi, 14, and Marco Sardi, 14, children of Marchillo and Donna Sardi of Columbia.

John T. Melson, 17, and Melissa Melson, 1 children of Sharon Wettraw of Columbia.

Nicole Glenn, 16, Lee Glenn, 14, and Lor Glenn, 7, children of William and Connie Glenn of York Springs.

Angela Lovell, 9, and Adam Lovell, 14, children of Duane and Cindy Lovell of Lewisburg.

Paul Fletcher, 15, children of Marling and Louise Fletcher.

Sandeep Thakrar, 15, and Monica Thakrar 10, children of Avil and Neema Thakrar of Camp Hill.

Andrea Bratic, 7, and Kelly Bratic, 5, children of Kathleen Bratic of Grantham.

Marc Worona, 17, and Stephanie Worona, 14 children of Valentin and Lesia Worona of Harrisburg.

Robert S. Aquino, 17, and Deborah Aquino 14, children of Edward and Peggy Aquino of York Haven.

Dean Laughman, 13, Dayne Laughman, 7, and Donald Laughman, 5, children of Craig and Joan Laughman.

Michelle Davis, 12, daughter of Barbara Cetera of Dover.

Jason Minnich, 15, and Michael Minnich, 17, sons of Howard and Vickie Minnich of Etters.

Nicole Linsey, 13, and Jill Linsey, 8, daughters of Dennis and Rosemary Linsey of Tampa, Fla.

The remaining settlements were:

\$21,700 for Amy Shoop, 6, daughter of Edward and Sydney Shoop of Bainbridge.

\$42,000 apiece for Robert Thomas Jr., 13, Matthew Thomas, 12, and Deanna Thomas, 10, children of Robert and Mary Thomas of Lemoyne.

\$24,000 apiece for James Hartsfield Jr., 17, and Robert Hartsfield, 14, sons of James and Marian Hartsfield of Ross, N.C.

The Patriot, Harrisburg, Pa., Friday, February 1, 1985

Couple loses round in bid for TMI data

Associated Press

State Attorney General LeRoy S. Zimmerman's office said yesterday that it has no jurisdiction to help a husband and wife team pry information out of the Health Department on health studies done after the accident at the Three Mile Island nuclear plant.

In a letter, Zimmerman told Norman and Marjorie Aamodt of Coatesville, Chester County, that they must take their case to court.

The Aamodts want raw data collected on pregnancy outcomes and a rise in hypothyroidism in Lancaster County after the March 1979 accident, worst ever at a U.S. commercial nuclear plant. They argue the data is public under the Freedom of Information Act.

They contend the Health Department's studies were unscientific and they want the information to convince the Nuclear Regulatory Commission to open a new health-related inquiry on whether TMI Unit 1 should be allowed to restart. Unit 1 was shut down for refueling when the accident happened at Unit 2.

The Aamodts are officially recognized participants in the ongoing restart hearings held by the Atomic Safety and Licensing Board.

Dr. George Tokuhata, the Health Department's chief epidemiologist who headed the studies, said he could find no links between the accident and adverse pregnancy outcomes or the hypothyroidism cases.

He has refused to give the Aamodts the raw data, citing confidentiality rules and continuing department work on the data.

The Aamodts were not at home when a reporter called yesterday.

TMI cancer-link study requested

—The Evening News, Harrisburg, Pa., Wednesday, Jan. 16, 1985

By MICK ROOD
Washington Bureau

WASHINGTON — Study of a controversial survey concerning abnormally high cancer deaths in an area west of the Three Mile Island accident site will be proposed by a TMI watchdog group.

David Berger, an attorney representing the Three Mile Island Public Health Fund, yesterday said the fund will propose the thorough epidemiological study soon.

Berger said results of the cancer survey, directed by Norman and Marjorie Aamodt of Coatesville, Pa., "must be taken seriously."

The Aamodts, who are legally recognized intervenors in the TMI Unit 1 restart case, say cancer deaths in three small, unspecified areas in York County were seven times higher than would have been normal in 1980-84.

The health fund was created to study TMI Unit 2 accident dose assessments with \$5 million out of a \$25 million settlement of a class-action lawsuit brought after the TMI accident in 1979.

U.S. District Court Judge Sylvia Rambo must approve use of the funds once the study is proposed, probably within three months, Berger said.

The Aamodts repeated their survey conclusions at a news conference yesterday on the eve of a Nuclear Regulatory Commission meeting at which a final vote on

Unit 1 restart will be discussed. An actual vote on the nearly 6-year-old question is not expected.

The session, here at 2 p.m. today, is expected to be crowded with TMI area residents, nuclear industry representatives, anti-nuclear activists, public officials and the media.

In saying the TMI Public Health Fund wanted to conduct a more scientific survey, Berger said it would appear the death rate findings are "in excess of observed cancer deaths from what one would expect."

In a telephone interview from his Philadelphia office, Berger cautioned that there has been no showing that the deaths are related to the Unit 2 accident, plant operation on the island, "or anything else."

"Unless you do a careful epidemiological study, you can't make statements," Berger said.

Accompanied at the news conference by three TMI-area members of Concerned Citizens of TMI — Francine A. Taylor, Mary S. Osborn and Jeffrey H. Newman — the Aamodts fielded questions from skeptical reporters demanding hard evidence.

Marjorie Aamodt said they have death certificates of 19 of 20 people who died of cancer in the three York County areas west of TMI Unit 2 during 1980-84. According to the Aamodts' calculations, three cancer deaths might usually be expected in those areas.

As they have before, she and her husband implied strongly that the higher-than-normal cancer mortality rate was attributable to large radioactive releases during the Unit 2 accident in March 1979.

However, later in the news conference, Norman Aamodt conceded: "We can't prove a lot of stuff [radiation] got out of TMI."

tion to refute previous studies that found negligible health effects from the Unit 2 accident.

The NRC based its rejection of the Aamodts' motion on a U.S. Centers for Disease Control review of the couple's survey. CDC concluded the Aamodt study "lacked 'convincing evidence.'"

The Aamodts fired back yesterday, saying the NRC staff deliberately had altered their survey report before sending it to CDC.

The Aamodts asked the Justice Department to investigate for criminal misconduct. Pages were omitted from the survey report, and in one section, language was altered, they charged.

An NRC spokesman yesterday responded on behalf of Dr. William A. Mills, who as chief of the agency's Health Effects Bureau, was the principal staff member dealing with the CDC.

According to Mills, the copy of the Aamodts' study did have missing pages because of a photocopying error. Mills said he was unaware any language was altered, the spokesman said.

In addition, Mills knew, as the Aamodts also have said, that the Pennsylvania Health Department had forwarded a complete copy of the report and therefore decided nothing else needed to be done about it, the spokesman said.

—The Patriot, Harrisburg, Pa., Friday, January 25, 1985



Aamodt

Waitress took on tough competition in hearings

By PETER KELLEY
Staff Writer

Louise Bradford says she found the competition tough in the Three Mile Island hearings that ended Friday at University Center at Harrisburg.

As the lone representative there of the TMI Alert watchdog group, she faced lawyers for GPU Nuclear Corp., the plant operators, and the Nuclear Regulatory Commission — women equipped with law degrees from Duke and Columbia.

Bradford, an emigre from London, England, at age 21, had dropped out of school at 13.

WHILE HER OPPONENTS headed for suburban motel rooms at the close of a long day of hearings, she went to work waitressing at a downtown diner, The Spot.

The attorneys, both from Washington, had direct access to NRC records and staff. She did her research across the street from the diner, poring over copied documents in a windowless room in the Dauphin Building.

Her next assignment, now that the latest round of hearings is over: a month of intense work on proposed findings for the Atomic Safety and Licensing Board.

At issue is whether incidents of cheating on tests by reactor operators casts doubt on GPU Nuclear's training practices and their ability to run the plant safely.

THE BOARD'S ultimate finding is expected to bear on the NRC's pending decision on whether to allow TMI Unit 1 to restart.

Bradford said it was coincidence that made her the "lightning rod" for anti-TMI activists.

Now 44, she said that until the 1979 accident at TMI Unit 2, "Nuclear power appeared to me to be a very middle-class issue, and I wasn't middle-class."

Among the plant's early opponents were some who worried as much about how it would affect their property values as whether it was safe. Bradford, a single parent with three children, was more interested in women's issues and low-income housing.

SHE FIRST LEARNED of the accident at work, in the office of a fair housing council that shared its telephone with TMI Alert. She said she soon decided, "What good is it if you have housing if it's in an unsafe area?"

By 1981, she was sitting in on NRC hearings and honing up on reactor steam tube generators, metallurgy, and operator training and testing.

Since then, with help from other volunteers and Joanne Doroshow, a sympathetic Washington attorney, Bradford said she feels like she's been "holding my finger in the dike" during the often highly technical hearings.

She said in earlier hearings on operator cheating on licensing exams, Chief Judge Gary Millitollin helped her develop a complete record for the NRC. "I was not constantly cut off" on legal fine points, she said.

IN THE LATEST hearings, it was different; she said the chief judge, Ivan W. Smith, "emasculated my case" and tried to force her to combine her efforts with the Union of Concerned Scientists, which was represented by an attorney.

She said Smith criticized her for missing a deadline last fall for submitting a list of the documents she would use in her case. When she tried to introduce the documents while cross-examining witnesses, she complained that he struck many from the record.

Bradford blamed the tight scheduling of recent hearings for giving her little time to meet the deadline. As for combining her

case, she maintained that employee morale at the plants was a key issue and one the UCS had not addressed.

AS THE HEARINGS went into their second month, she said, Smith lost his temper with her on numerous occasions. "He screamed at me," she said, "ranting and raving" until the other two judges stopped him.

Near the end of the hearings, TMI Alert joined Gov. Dick Thornburgh and the Union of Concerned Scientists in calling for the chief

judge to disqualify himself.

In their formal motions, they charged that Smith showed bias by urging another federal judge to give a light sentence to a former reactor operator who cheated on relicensing tests.

Smith said Friday that he wouldn't comment on whether he lost his patience with Bradford. "That has not been part of their motions" to disqualify him, he said.

BUT DOUGLAS Bedell, a GPU Nuclear spokesman, said last week

that "the intervenors have been dressed down regularly by Smith for not making a case against restart."

Bradford said "part of that could be frustration with the fact that non-attorneys ask imprecise questions."

"But that's precisely when the board should intervene and help those non-attorneys make their points. Otherwise, it becomes a total sham — this is not a public hearing at all if the public cannot participate unless you can afford to hire a lawyer."

Rep. Smith renews attack

—The Patriot, Harrisburg, Pa., Saturday, January 26, 1985

NRC again urged to oust judge

By DAVID MORRIS
Staff Writer

A call for Ivan W. Smith's replacement as chairman of a panel considering whether the Unit 1 reactor at Three Mile Island should be restarted has been renewed by a York County legislator.

Rep. Bruce Smith, R-Newberry Twp., said in a letter to Nunzio Palladino, chairman of the Nuclear Regulatory Commission, that Smith's removal from the case was "imperative" because he "has lost his impartiality and credibility on the issue."

The legislator first called for the administrative law judge's

ouster in a Jan. 8 letter, which he said has not been answered.

Ivan Smith, chairman of the Atomic Safety and Licensing Board since 1979, came under fire for a Dec. 27 letter he sent to U.S. District Judge Sylvia H. Rambo. The letter recommended leniency for James R. Floyd, a former employee at the Londonderry Twp. nuclear facility who was convicted of cheating on a take-home licensing test.

The licensing board chief's letter said, in part, "I have always felt that Mr. Floyd's deception was an impulsive act and that it was not motivated by personal ambition. . . . One senses he neglected his examination responsibilities out of a misguided but altruistic effort to attend to matters of perceived greater urgency."

By writing to Rambo, Rep. Smith said, Ivan Smith lost his ability to objectively consider whether the Unit 1 reactor should

be allowed to resume operation.

"Perhaps the NRC is becoming callous to the concerns of central Pennsylvanians over TMI," the third-term legislator said in his letter to the NRC. "Perhaps the NRC doesn't recognize the fact that Ivan Smith has lost his impartiality and credibility on the issue by writing to Judge Rambo."

Rep. Smith also questioned NRC rules that allow Ivan Smith to pass judgment on himself. "Even President Nixon was not allowed to judge himself," he noted.

A number of others, including Gov. Dick Thornburgh, have called for the administrative law judge to step down. Thornburgh said Smith "has gone out of his way to prove himself incapable of fair and impartial decision-making in this complex and difficult matter."

Ivan Smith has said he will decide by the end of the month whether he should step down.



Louise Bradford

panel chief dismissed

The Evening News, Harrisburg, Pa., Thursday, Jan. 10, 1985

Thornburgh wants

By PETER KELLEY and FRANK LYNCH
Staff Writers

Gov. Dick Thornburgh last night called for the removal of Ivan W. Smith as head of a three-member federal panel considering the restart of Three Mile Island's Unit 1 reactor.

By asking a federal judge to be lenient in sentencing a former TMI employee, Smith "has gone out of his way to prove himself incapable of fair and impartial decision-making in this complex and difficult matter," the governor said.

An aide to the governor said a motion for Smith's removal as chairman of the Atomic Safety and Licensing Board will be filed with the Nuclear Regulatory Commission in Washington by the end of the week.

Thornburgh complained that while Smith wrote the judge that he was expressing personal views and

did not speak for the NRC, Smith also cited his standing as chairman of the restart hearings.

"I find those two statements to be irreconcilable," Thornburgh said, adding that Smith has shown an "insensitivity to public interest" during the TMI hearings.

In an ironic twist, Thornburgh aide Roland Page said consideration of the dismissal motion could end up before the licensing board, which Smith heads. He said NRC regulations would seem to allow Smith to vote on whether he should be removed.

Smith, an administrative law judge with the Nuclear Regulatory Commission, has served as chairman of the licensing board since its formation in 1979.

The board is hearing testimony at the University Center of Harrisburg, North Front Street, on training and testing practices at the Londonderry Twp. plant, site in 1979 of the nation's worst nuclear accident.

ers from cheating and said he is confident "any problems caused by deception respecting Three Mile Island will have been identified and resolved" by the NRC.

The letter closed, "Deception in the future is very unlikely. A severe sentence for Mr. Floyd would add nothing."

Thornburgh's action comes on the heels of a similar request made Saturday by state Rep. Bruce Smith, R-Newberry Twp., who also called for Ivan Smith's dismissal.

Bruce Smith called the request for leniency "obviously a conflict of interest" and promised to write to the NRC asking for Ivan Smith's dismissal.

Yesterday, Thornburgh said Ivan Smith's behavior "precludes public confidence in the integrity of any decision he may render regarding Three Mile Island."

NRC lawyers ask removal of Smith from TMI-1 case

The Evening News, Harrisburg, Pa., Thursday, Jan. 31, 1985

By MICK ROOD
Washington Bureau
WASHINGTON — Administrative Law Judge Ivan Smith should be disqualified from presiding over hearings on the Three Mile Island Unit 1 restart, the Nuclear Regulatory Commission staff attorneys said yesterday.

Smith should be disqualified because he has "clearly created an appearance of bias," the attorneys said.

Smith already is considering a motion that he disqualify himself. It was filed by the commonwealth of Pennsylvania which, like the staff, is a party to the TMI-1 restart case.

Smith, 57, who has been an NRC law judge for 10 years, has not indicated when he will rule on his own fate.

If Smith does not disqualify himself, the issue automatically will go to an NRC appeals board for a decision.

If he does disqualify himself, another judge will have to be appointed to head the three-member TMI licensing board.

In either case, the issue will delay board hearing conclusions.

It is uncertain how the situation will affect the TMI-1 restart ruling, which the commission has yet to make. The NRC still has not announced whether it wants to wait for the licensing board's scrutiny of TMI operator GPU Nuclear Corp.'s management integrity.

If not unprecedented, the staff attorneys' opinion against a judge in their own agency is extremely rare, NRC officials said last night.

Along with the state, NRC attorneys Jack Goldberg and Lois Finkelstein first cited Smith's Dec. 27 letter to U.S. Middle District Court Judge Sylvia H. Rambo in which he pleaded for leniency for James R. Floyd.

Floyd is a former TMI senior reactor operator awaiting sentencing in Rambo's court after he was convicted in November of cheating on a licensing exam in 1979.

After vouching for Floyd's character, Smith advised Rambo that:

"A severe criminal penalty against Mr. Floyd is, in my personal view, not needed to ensure the integrity of the NRC operators' licensing process at TMI. . . . The civil regulatory scheme presently administered by the NRC . . . is ad-



Judge Ivan Smith
Disqualification sought

equated to assure that the operators of TMI are persons of competence and integrity.

"I have confidence that the NRC administrative regulatory process . . . will provide an orderly and reliable mechanism for assuring that any problems caused by deception respecting TMI will have been identified and resolved. Deception in the future is very unlikely. A severe sentence for Mr. Floyd would add nothing."

In addition to the letter, NRC attorneys Goldberg and Finkelstein cited instances in which Smith's on-the-record statements "suggest bias or prejudice against findings or conclusions which might adversely affect individuals [TMI personnel]. . . ."

Standing alone, the letter and concern for TMI operators under investigation might not justify disqualification, Goldberg and Finkelstein said. Taken together, however, "they do clearly create an appearance of bias," the attorneys said.

The appearance is, they said, "that Judge Smith is biased, has prejudged issues, or will be inclined to decide issues on a basis other than an objective assessment of the evidentiary record."

Goldberg and Finkelstein said disqualification would "further assure public confidence and the objective resolution" of the Unit 1 restart case.

The Evening News, Harrisburg, Pa., Wednesday, Jan. 30, 1985

NRC checks tip on contamination of TMI workers

By PETER KELLEY/Staff Writer

A radiation specialist for the Nuclear Regulatory Commission has arrived at Three Mile Island to investigate an anonymous tip about unexpected contamination of workers.

The inspector, John White, was on site yesterday "because of the question of whether or not there should have been respiratory protection" worn by the workers, said Karl Abraham of the NRC Region 1 office in King of Prussia.

GPU Nuclear Corp., which operates the Londonderry Twp. nuclear facility, has confirmed that four workers breathed in airborne radioactive particles Dec. 27 while removing steam generator used in testing at the Unit 1 reactor.

They were allowed to work without clumsy respirators to cut the time needed for the job, thus reducing their external radiation dose, a GPU Nuclear spokesman said.

Their internal contamination was unexpected, he said, but the amount involved was "minute."

According to Abraham, whole-body tests showed the quantity of radioactive matter the workers "inhaled and were not able to exhale" was about 8 percent of the recommended lifetime limit for internal radiation.

He said the company would only have been required to report the incident if the workers were "over-exposed."

Last night, Douglas Bedell of GPU Nuclear said the company did report the incident to the resident inspector on the site, Richard Conte.

However, the first sign that the Region 1 office was aware of the case came in a Jan. 23 letter from Richard W. Starostek, director of reactor projects for the region, to Henry D. Hukli, director of TMI Unit 1.

In asking for a report of the incident, Starostek did not say how he learned of it, writing only that "we are in receipt of allegations," and "concerns were expressed."

Repairs at Unit 1, expected to be finished by mid-February, are one of the last steps in preparing the reactor for a possible restart. It has not generated electricity since before the 1979 accident at Unit 2.

State reviewing activists' request for raw TMI data

Associated Press
The state attorney general's office is reviewing a request for help from a Chester County couple seeking raw Health Department data about studies into the health effects of the Three Mile Island nuclear accident.

Norman and Marjorie Aamodt of Coatesville yesterday asked Attorney General LeRoy S. Zimmerman's office to ensure that the state Health Department gives them the information.

"Their request will be reviewed to determine what legal steps if any the attorney general may be able to take," said Zimmerman's spokesman, Patrick Boyle.

The Aamodts, who are parties to the hearings into the restart of the TMI Unit 1 reactor, want the information for their case.

They contend the Health Department studies were "unscientific" and not supported by available evidence. They have been seeking the data since November and filed a request under the Freedom of Information Act Jan. 15 after they were formally turned down.

One part of the study looked into the outcome of pregnancies after the March 1979 accident, in which the reactor core overheated and was severely damaged.

Four workers exposed to radiation, TMI says

By PETER KELLEY
Staff Writer

Four workers at Three Mile Island's Unit 1 reactor were unexpectedly exposed to airborne, radioactive particles in late December, the plant operator has confirmed.

The incident has led GPU Nuclear Corp. to reconsider a new policy of sending workers into certain radioactive areas without wearing clumsy respirators. It also prompted a recent inquiry from the Nuclear Regulatory Commission.

However, company spokesman Douglas Bedell said preliminary tests showed the four workers' exposure to internal radiation was "minute." He said the workers spent from two to 27 minutes on Dec. 27 in the head of one of the Unit 1 reactor's massive steam generators.

York Daily Record • Wednesday, January 16, 1985

Couple says government hid high rate of cancer near TMI

By SUSAN FITZGERALD
and JIM DETJEN
Knight-Ridder Newspapers

WASHINGTON — A Pennsylvania couple filed a complaint with the U.S. Justice Department Tuesday, charging that the federal government has covered up a high rate of cancer deaths and other health problems among people living near Three Mile Island.

Norman and Marjorie Aamodt of Coatesville accused the Nuclear Regulatory Commission of deliberately altering a report on a door-to-door health survey conducted by the Aamodts and other volunteers last year.

Cancer

Continued from 1A

Fouchard said Tuesday that the missing pages were due to a clerical error. "According to the people who did it, they said it was a Xeroxing error," he said.

At a news conference here Tuesday sponsored by the Concerned Citizens of Three Mile Island, a Lancaster County citizens' group, the Aamodts said the high number of cancer deaths they documented in three communities near TMI was a strong indication that far more radiation was released during the early hours of the accident than was ever acknowledged by government or

The other part looked for reasons behind seven cases of hypothyroidism in Lancaster County in 1979. Hypothyroidism is a deficiency of the thyroid gland that can be caused by hereditary or environmental factors, including radiation.

On Jan. 14, Dr. George Tokuhata, the department's chief epidemiologist, refused to release the data, the Aamodts said. He could not be reached for comment.

In a letter to the Aamodts, Tokuhata cited confidentiality rules and continuing analyses by the department for his decision. The Aamodts counter that they previously had been cleared for top secret work when they were employed by Bell Telephone Laboratories and that they would be satisfied with copies of the department's records.

In his studies, Tokuhata concluded that incidents of fetal and infant deaths, congenital defects and premature births were not significantly different from other areas of the state.

Likewise, he found no connection between the seven hypothyroidism cases and the accident. He noted that Lancaster County has a large Amish population that he said is known to have higher rates of birth defects.

Repairs at the Londonderry Twp. plant, expected to be finished by mid-February, are one of the last steps in preparing Unit 1 for a possible restart. It has not generated electricity since before the 1979 accident at Unit 2.

While withdrawing test probes, the workers received varying external radiation doses of 50 to 260 millirems, Bedell said, "certainly within the range of what was expected." Company rules, which are stricter than the NRC's, permit workers to be exposed to doses up to 5,000 millirems a year.

Leaving the respirators off is more comfortable for the workers and allows them to work faster, Bedell said. No internal contamination was expected in this case.

Until more tests and the report are complete, Bedell said Unit 1 workers will return to wearing respirators.

They said the survey found that the cancer death rate in three communities near TMI was seven times higher than normal in the years since the March 1979 nuclear accident at the unit 2 reactor.

In a letter to Attorney General William French Smith, the Aamodts accused the NRC of omitting 10 pages of their report and deleting portions of an accompanying affidavit before the NRC turned the report over to the Centers for Disease Control in Atlanta in August for further study.

Dr. Glyn Caldwell, a CDC epidemiologist, made note of the missing pages in a letter to the

plant officials.

In a motion filed Tuesday with the NRC, the Aamodts asked the commission to reconsider a previous request to investigate whether TMI hid or destroyed records showing the amount of radiation released into the environment during the accident.

Last month, the NRC turned down a similar request for an investigation by the Aamodts.

The commission noted that while radiation records from the accident were missing, there was no evidence to support the Aamodts' charge that they had been intentionally destroyed.

The Aamodts refused to identify the exact location of their health survey, saying they had promised confidentiality to the

NRC in September.

"Much to my surprise," he said, he discovered that the copy of the Aamodts' report submitted to him by the commission was different from a copy given him by the Pennsylvania Department of Health.

After reviewing a complete copy of the Aamodts' report, Caldwell concluded that the health survey did not present "convincing evidence of cancer incidence, cancer mortality or adverse pregnancy outcome in TMI-area residents following the accident."

NRC spokesman Joseph

Phelan can be reached at 717-771-1111.

the FORUM

Reed defends TMI claims

EDITOR:

ON JAN. 22 an editorial appeared suggesting that my testimony in the United Kingdom contained misleading information about Three Mile Island and potential health effects from the 1979 accident.

Ironically, underneath this editorial was a separate editorial stating the Patriot-News Company's view that reports of "cancer clusters" should be thoroughly investigated by independent health authorities. This is no different than my own view.

On Jan. 11, my office offered a copy of my testimony in the United Kingdom, at British governmental hearings on nuclear power, to a Patriot-News reporter. The offer was declined.

Your editorial of Jan. 22 was apparently written without even having read let alone evaluated this testimony.

I am therefore at a loss to understand how your editorial concluded that my testimony contained "misleading" information.

A review of the testimony indicates that I clearly offered but made no conclusions about several reported health problems. I specifically said that reports of increased infant mortality following the 1979 accident, reports of thyroid disorders in Lancaster County and reports of increased cancer rates in areas close to TMI, deserved independent investigation and that, for now, no conclusion can be made from such other than that they merited further review before any government determined that nuclear power plants were absolutely safe and that host community areas had no risk associated with being the site for a nuclear power plant.

That is no different than your own recommendation contained in the separate editorial of the same date of Jan. 22 and certainly no different than any responsible governmental official should seek on the question of nuclear power plant siting.

Your editorial also questioned why I was invited to go to the United Kingdom instead of the mayor of Middletown. The invitation to attend was issued following a visit by a representative from the English municipalities to this area.

—Stephen R. Reed,
Mayor,
Harrisburg



The Patriot-News Co.

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PUBLISHER

Ronald W. Minard

EDITOR

A Free Press — Armor of the Republic

Edwin F. Russell

PRESIDENT

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EXECUTIVE EDITOR

Reed on a limb

Harrisburg, Pa., Tuesday, January 22, 1985

Exaggerated claims did TMI area no service

IT NEVER was clear to us in the first place why Harrisburg Mayor Stephen Reed was invited to Britain to tell the story about the accident at Three Mile Island. He was a state legislator at the time and hardly a central figure in the drama of the world's most famous nuclear accident. Robert Reid, then as now mayor of Middletown, where the cooling towers of TMI loom like pyramids over the town, would seem to have been a better choice.

In any event, that was the decision of the local British officials who were interested in TMI because a similarly designed nuclear reactor was being proposed for the Suffolk coast near their community. In picking Reed, they choose someone who apparently has a lot to say about TMI, enough to fill 25 pages of testimony.

Unfortunately, Reed's testimony included some misleading information about the health effects of the TMI accident which had long since been discounted and discredited by health officials in this country. In raising the issue of a large and significant increase in the infant mortality rate in this area following the accident, Reed gave new life to an old charge first raised by Dr. Ernest Sternglass, the "Dr. Doom" of the anti-nuclear movement, a charge that has been thoroughly repudiated.

Reed also repeated charges of increased cases of cancer and thyroid problems in local children, and reports of the premature death of numerous locally raised animals from

leukemia, all of which have been probed by responsible and independent investigators without any evidence to link them to the accident.

THE ONLY known and proven health effect of the TMI accident is an increase in stress among people living closest to the nuclear power station. Other investigations and the on-going accumulation of statistical data may uncover and document previously undetected health effects, but there is no real reason to expect that the accident was any more pernicious in its effect on people and animals than existing evidence suggests.

Not surprisingly, the United Kingdom Atomic Energy Authority, which wants to build the plant, challenged Reed's exaggerated claims of the health consequences of the TMI accident. We would have thought the experience of the accident itself, the fear it created, the catastrophe it might have been and what it revealed about the awesome, probably unmanageable, problems that would arise in the event of a full-scale nuclear-power plant disaster, would have sufficed to leave the mayor's audience spellbound.

TMI needs no embroidery. The truth about the accident and its aftermath is as strange and fascinating as any work of fiction, and a telling indictment of the nuclear industry and its regulators. Too bad the mayor could not have left it at that when he told the British about our ordeal.

Look into cancer 'clusters'

STATISTICALLY, there appears to be a better-than-even chance that in any controversy surrounding a nuclear plant someone, usually Dr. Sternglass, will appear on the scene with what is purported to be statistical proof that radiation from atomic power plants is killing people.

"Dr. Doom," a radiologist by training, has done it at TMI and he has done it at countless places around the country, and all that he has managed to prove is that he is not a very good statistician.

That is not to say, however, that what Sternglass has failed to prove statistically is not, in fact, taking place. Even the government estimates that the small amounts of radiation released into the environment by the normal operation of each nuclear plant will contribute to the deaths of a small number of people over the life of the plant and that the accident at Three Mile Island possibly will result in a few more deaths over time. What is important to keep in mind is that these projected nuclear-power related deaths are infinitesimal in terms of the overall number of expected deaths from cancer.

These guesstimates, and they are no more than that, are based on a presumption that any amount of radiation is dangerous and that the greater the exposure the greater the danger. Where Sternglass and a handful of other researchers part company with most of the scientific community is in their conviction that very low-levels of radiation are much more harmful than is generally believed.

Trying to link cause and effect in cancer deaths is a tenuous business at best, even in what would appear to be the most obvious circumstances. Attempting to associate a particular cancer death with a particular incident at a nuclear plant really is stretching it, particularly when there are so many other random influences that could be taking

place, all the way from heredity to diet to possibly the type of house one lives in, not to mention a multitude of other possibilities.

THIS is the problem with the alleged cluster of cancer deaths found in three communities in York County by Norman and Marjorie Aamodt. Their claim is worthy of attention and investigation if for no other reason than it is not beyond the realm of possibility. But it has been reviewed once by the Centers of Disease Control in Atlanta, a credible and respected federal agency, which found that Aamodt's information lacked "convincing evidence of cancer incidence, cancer mortality, or adverse pregnancy outcome in TMI-area residents following the accident."

The state Health Department has gone over the same ground without finding evidence that the accident led to a rash of cancer deaths, but has agreed to review the Aamodts' data. Another study may be undertaken through the Three Mile Island Public Health Fund.

A thorough epidemiological study may be able to identify other possible explanations for the cluster, but it almost certainly will not be able to prove definitively that radiation released during the accident in March 1979 led to the cancer deaths of 20 residents living west of the plant between 1980 and 1984.

Unfortunately, clusters of cancer deaths — if there is a local cluster as the Aamodts contend and the disease center appears to refute — are all too commonplace in America as we are beginning to discover through improved record keeping. A great deal of work remains to be done to better understand the causes of these clusters, which in most cases are far removed from nuclear plants, before jumping to drastic conclusions on the basis of questionable statistical data.

residents of 100 households who participated in the study in the spring.

They said the survey, conducted in three communities on the west shore of the Susquehanna River within eight miles of TMI, found 20 cancer deaths among a population of 433 persons.

They said that number, which they said was supported by death certificates, was seven times higher than what would be expected among the population.

They said their survey also found an unusually large number of cases of tumors, various types of cancer, skin rashes and miscarriages.

The Aamodts said the NRC

should investigate the health problems before deciding whether to allow GPU Nuclear Corp. the operator of TMI, to restart its undamaged unit 1 reactor.

The NRC is scheduled to meet today to decide what action it should take before voting on the restart issue.

GPU Nuclear spokesman Doug Bedell said Tuesday there was no evidence to support the Aamodts' findings.

"A number of authoritative, impartial scientific agencies have studied the question of health effects from the TMI-2 accident, and none of them have found any basis for charges of increased cancer incidence in the area," he said.

TMI says four workers inhaled radioactive particles at plant

By MICHAEL ARGENTO
Daily Record Staff Writer

Four workers at Three Mile Island last month unexpectedly inhaled a small amount of radioactive particles inside a section of the plant's unit 1 reactor, plant operator GPU Nuclear Corp. said Tuesday.

The technicians, who were working on the reactor's steam generators, inhaled amounts of

radioactivity well below standards set by the Nuclear Regulatory Commission, GPU Nuclear spokesman Gordon Tomb said.

"It was unexpected," he said. "From our past monitoring of airborne radioactivity, we determined that the level was low enough that they wouldn't ingest any radioactive material."

The technicians weren't wearing bulky respirators while they worked in the top of the steam generators, Tomb said. When

possible, he said workers don't wear the respirators because they make work difficult.

The incident occurred Dec. 27 when the technicians entered the building to remove test probes from the steam generators. The probes were inserted into the tubes in the generators to detect leaks.

Leaks in the steam generators were detected two years ago and GPU Nuclear has been working since then to fix them. Tomb said the repairs should be completed

by mid-February.

The work is preparation for the restart of the undamaged reactor. It was closed for routine refueling since the March 1979 accident at the adjacent unit 2 reactor. GPU has said it will be ready to restart Unit 1 by the spring. The NRC has yet to rule on the restart.

During the incident, one technician spent as little as two minutes in the building, Tomb said. The longest a worker was in the area was 27 minutes, he said.

Because officials had deter-

mined that the area had a safe level of airborne radioactive particles, the four workers weren't wearing respirators to filter the air they breathed, Tomb said.

Later, it was discovered each worker had ingested up to 10 millirems of radiation, much less than the NRC's annual limit of 5,000 millirems of internal contamination, he said.

Those levels were measured by whole-body counts of radiation conducted at the plant and analysis of paper filters in radiation

detectors, he said.

Each of the four technicians also were exposed to between 50 and 260 millirems of external radiation, but that exposure was expected, Tomb said. The external exposure was well below the company's standard of 5,000 millirems a year and the NRC's limit of 12,000 millirems a year.

Until the company finishes its investigation of the incident, all workers will be required to wear respirators inside the plant, Tomb said.

Thursday, Jan. 17, 1985 The Philadelphia Inquirer

Harrisburg, Pa., Friday, February 1, 1985

Key decision on TMI restart put off

By Jim Detjen
and Susan FitzGerald
Inquirer Staff Writers

WASHINGTON — More than 200 spectators, many of them Harrisburg-area residents, jammed a Nuclear Regulatory Commission meeting room yesterday in anticipation of a pivotal decision concerning the future of the Three Mile Island nuclear station. But that decision never came.

Instead, the NRC chose to continue to debate a while longer about whether the undamaged Unit 1 reactor at TMI was ready to be restarted.

The five-member commission was divided yesterday over what issues needed to be resolved before a restart vote could be taken. Nunzio Palladino, chairman of the commission, told the members to submit written opinions on what course the agency should take.

Palladino said he hoped the agency could reach a consensus within the next two weeks.

A top agency lawyer told the commission that at least one additional TMI hearing was needed. Richard Levi, a senior attorney for the NRC, said the agency's legal advisers believed that hearings should be held on charges that safety records were falsified at the TMI Unit 2 reactor in the months leading up to the March 28, 1979, accident there.

Despite more than five years of deliberations centering on TMI, the NRC has never held hearings on the so-called Hartman allegations. Harold Hartman, a former TMI control room operator, told NRC investigators in 1979 that plant workers routinely falsified and destroyed records showing whether excessive water was leaking from the Unit 2 reactor's cooling system in the months leading up to the accident.

In November 1983, a federal grand jury in Harrisburg indicted Metropolitan Edison Co. — a subsidiary of General Public Utilities Corp. (GPU), which then operated the plant — on charges stemming from those allegations. Last February, the company pleaded guilty or no contest to seven counts of an 11-count indictment.

Unit 1 was shut down by an NRC order in the aftermath of the Unit 2 accident and has remained shut since. The NRC has been conducting hearings since 1980 on whether GPU, the plant's owner, should be allowed to begin producing electricity again at the Unit 1 reactor.

James Asselstine, an NRC commissioner, said he believed the agency should also hold hearings on allegations that three former TMI engineers were harassed by plant managers after challenging the safety of cleanup procedures at Unit 2.

But Lando Zech, another commissioner, urged the agency to move swiftly with its decision-making.

"The time is rapidly approaching that the five of us make a decision," he said. "The time is near."

The agency's inability to reach a consensus on what further TMI hearings are needed appears likely to delay a restart vote for at least a month.

Palladino said that if hearings were held on the falsification of records at Unit 2, it was possible that they could take a year to complete.

But he said the commission could decide to vote on the restart of Unit 1 before the completion of those hearings.

Philip Clark, president of GPU Nuclear Corp., the GPU subsidiary that now operates TMI, said that although company officials were "pleased with the apparent determination of the commission to continue to press to reach a decision [on restart]... we're disappointed that there's not more of a consensus among the commissioners on how to reach that decision."



The Patriot-News Co.

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TMI vote

Harrisburg, Pa., Monday, January 14, 1985

NRC slouching toward restart decision

IF GOVERNMENT agencies make New Year's resolutions, the Nuclear Regulatory Commission seems to have made one to finally take a vote on whether to allow the restart of the undamaged Unit 1 reactor at Three Mile Island. The commission is expected to decide on Jan. 16 whether it will take a vote on restart, possibly to take place on Jan. 28 or Jan. 31, or at least that is the word filtering out of the agency.

Several times in the past the NRC appeared on the verge of voting on restart and then backed off. On this occasion, however, a commission that does not contain one member who was around when the TMI accident occurred nearly six years ago may feel it is time to end the impasse at America's most famous nuclear power station.

If the NRC had any backbone and if it had a strong sense of what constitutes the public interest, rather than the interest of the nuclear industry, the agency could have made an informed decision on restart years ago. It could have said "no." But the NRC doesn't like to say no — indeed, it appears to have an institutional inability to say no — so it delays and delays and delays, all in the pretext of gathering additional information, until it gets up the gumption to say "yes."

THERE is no reasonable justification for the length of the time that has been spent waiting for a resolution of the restart question. If business and the rest of government took six years to decide similarly important and delicate issues the entire country would grind to a halt.

The industry and its bureaucratic cohorts in government like to blame this delay — and most of the other delays that seem to be congenial to nuclear power — on the tactics

of critics and opponents of restart. In the case of TMI, this smacks of blaming the victims for the worst nuclear-power accident in the nation's history.

But the real cause of the delay was the total unpreparedness of the NRC and the nuclear industry to deal with a major nuclear accident. It took five years before there was a reasonable prospect that adequate funding would be available to clean up the accident and almost six years have gone by without the NRC coming to a conclusion on whether TMI-owner General Public Utilities has the wherewithal to operate a nuclear plant competently.

SURELY if the NRC had something decisive to say about TMI, other than granting restart, it would have said it by now. And yet if the NRC does act this month it will confirm what many people have believed from the start, that all of the hearings and miles of reports were meaningless because it will have made a decision while some presumably significant matters, such as an investigation of management competence and integrity, remain unfinished.

But the whole aftermath of TMI has been a lesson in failure, not only for the nuclear industry but for regulators as well, and there isn't any reason to expect a change now. One would hope, though, that the NRC decision on restart, when it finally comes, will have something more reassuring to offer the people of central Pennsylvania than the prospect of GPU being given an unrestricted license to operate as if TMI never happened and GPU wasn't responsible.

An understandably concerned public deserves no less from the NRC after the TMI accident and the equally trying ordeal of watching the NRC try to make up its mind.

Intelligencer Journal

Thursday

January 24, 1985

Panelists Declare TMI Health Issues Cover-up

By David Sturm
Intelligencer Journal Staff

A public panel, meeting in the city Wednesday, hammered away on the need to clear the air on health issues before the restart of Three Mile Island's Unit 1.

The panel meeting came a week before the Nuclear Regulatory Commission is expected to vote on restart of the undamaged reactor.

Norman and Marjorie Aamodt, the Coatesville couple who conducted their own health survey of the area, again charged a virtual cover-up is going on.

They accused the NRC, General Public Utilities and others of "conspiring to withhold from the public evidence showing public health problems and death from the accident."

About 40 persons turned out at city council chambers for the two-hour discussion, which was most-

ly led by the Aamodts.

The Coatesville couple did door-to-door surveys of residents in the vicinity of TMI and came up with a survey including sworn affidavits from persons who experienced health problems in the wake of the accident.

The Aamodts are all but convinced these cases including skin disease, organ failure, cancer and even death are in places where the radioactive cloud, or "plume," enveloped the ground in the hours and days after the accident.

Their data has been greeted with skepticism in some scientific quarters and the Aamodts themselves have welcomed in independent inquiry.

But in response to a question Wednesday, Aamodt said he doubted if there was any new information or safeguard that would convince him Unit 1 can be

safely restarted.

"I can't honestly think of a way they could do that," he said.

As they have on other occasions, the Aamodts outlined some of the health issues indicated by their survey:

- Rashes, skin reddening and other skin problems experienced by TMI neighbors.
- Deaths, diseases and birth abnormalities in farm animals and pets.
- Unusual size and abnormal shape in some plant life.
- Disappearance of bumble bees and other insect life.
- Muscle cancer in humans which could be associated with exposure to cesium.
- Collapse of internal organs depression of the immunity system, loss of hair and other incidents.

\$1 billion 'in place,' GPU insists

By PETER KELLEY
Staff Writer

The owners of Three Mile Island yesterday repeated an official's claim of last September that nearly \$1 billion is "in place" for the cleanup at the Unit 2 reactor.

A GPU Nuclear Corp. spokesman said the utility knows how it will get all but \$38 million — about 4 percent — of the estimated cost for the 10-year-long cleanup.

One way apparently is to restart TMI's Unit 1 reactor, undamaged in the 1979 accident. The 1985 budget of \$120 million includes an estimated \$15 million from the existing rate structure following a restart.

"Of the many proposals for financing the cleanup, the current plan follows most closely the one advanced in 1981 by Gov. Dick Thornburgh," company officials told members of the Citizens Advisory Panel for the Decontamination of TMI Unit 2.

Thornburgh has urged federal authorities not to allow the restart until cleanup funding is complete.

Yesterday, a press aide to the governor said Thornburgh was unimpressed by the latest announcement.

"We're not satisfied at this point that we have

assured funding of the cleanup," Roland Page said.

That also was the response of TMI-Alert, an independent citizens' group monitoring the cleanup and opposed to restart. Kay Pickering, a group leader, said several sources the utility is relying on still may fall through.

"There's no guarantee" that electric utilities around the country will continue meeting payments on their voluntary commitment of \$150 million — or that future federal budget cutting will spare the \$83 million expected from the Department of Energy, she said.

The largest sources are insurance policies that already have contributed \$305 million, and electric customers. GPU Nuclear expects another \$201 million from its ratepayers, on top of \$45 million they already have paid.

According to the budget released yesterday and outlined to the citizens advisory panel last September by Ed Kentner, GPU Nuclear executive vice president, company stockholders will contribute another \$82 million; the state of Pennsylvania, \$30 million, and New Jersey, \$11 million.

The Japanese nuclear industry, which is studying the cleanup, is providing \$18 million in staff and services. Another \$21 million of similar support is coming from Babcock and Wilcox, designers of the plant, as settlement for a lawsuit.

—The Patriot, Harrisburg, Pa., Saturday, January 17, 1985

THREE MILE ISLAND. Accident without an end

Problems cited by NRC

The NRC has cited at least 140 instances of problems at TMI, including lapses in radiation protection for workers, inadequate plant security, fire-safety violations, inadequate environmental monitoring and improper handling of radioactive materials. The agency has issued 42 "notices of violation" — formal letters of criticism — to TMI managers for these infractions.

Through the end of last year, TMI records show, there had been 593 documented cases in which a cleanup worker's skin had been contaminated by radioactive materials.

Among the safety problems documented in records on file with the NRC are these:

- Radioactive particles leaked into the air outside TMI in January 1982 because drain plugs in the plant's air-filtration system were missing. TMI engineers had learned of the problem in June 1980. But instead of being resealed with carbon-steel plugs, as required by plant specifications, the drains were covered with tape.

- Contaminated water from a storage tank near the reactor complex leaked onto the ground in January 1982 and August 1983. Radioactive substances such as cesium, strontium, cobalt and tritium have been detected repeatedly in the groundwater near the Unit 2 reactor.

- More than 600 gallons of concentrated sulfuric acid spilled onto the ground outside Unit 2 on Jan. 13, 1981, after a control-room operator turned the wrong valve. One reason for the mistake was that plant engineering drawings were out of date — a recurring problem in the cleanup.

- TMI engineers installed a sewage holding tank for waste water in 1982 without obtaining a permit from the state Department of Environmental Resources or from local authorities. Radioactive particles later were discovered in the tank's sewage, which was being trucked to a treatment plant in Lancaster.

Despite the NRC's criticisms, TMI officials say the cleanup is being run safely and poses no health problems to workers or the public.

Parks, King and Gischel complained about safety on numerous occasions before they left TMI, according to affidavits and sworn statements on file with the federal government. Parks and King have appeared before a U.S. House subcommittee that investigated the cleanup; all have complained to the NRC.

Each has argued that shortcuts were taken to hurry one of the tasks most important to the cleanup — the repair of a 400-ton device, called a "polar crane," that is crucial to major cleanup work.

The three engineers said there was no guarantee that the crane could safely carry a load because procedures had been violated during its repair. If the crane malfunctioned, they warned, a heavy load could come crashing down on sensitive equipment inside the reactor building, possibly triggering another serious accident and release of radioactivity.

Because of the three engineers' complaints, major cleanup work was delayed for more than a year while the NRC investigated. In a written report in September 1983, the NRC confirmed many of their safety allegations.

In July, the crane was used successfully to lift the 159-ton lid off the damaged reactor vessel in preparation for removing the intensely radioactive fuel from the reactor core.

But after the crane was used, plant inspectors found in August and September one set of brakes on the crane's hoist was not working properly.

An internal GPU Nuclear report issued in October said the problem had occurred because plant engineers, not wanting to wait nine to 10 weeks for the manufacturer to ship the necessary parts, had fabricated "homemade" parts for the brakes in 1982. They then installed the brakes in violation of correct safety procedures and reviews, the report said.

William Travers, the top NRC official at the plant to oversee the cleanup, said during an interview that if both sets of brakes on the crane's hoist had failed during the sensitive lifting of the reactor lid, the massive steel lid could have dropped.

It was exactly that kind of potential accident that Parks, King and Gischel had warned might happen if plant rules were not followed.

But by the time the lid was lifted, the three engineers were no longer working at Three Mile Island.

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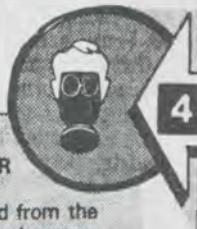
Tuesday, Feb. 12, 1985 The Philadelphia Inquirer

Since the cleanup began, inspectors for the U.S. Nuclear Regulatory Commission have identified more than 140 problems, such as plant security, fire safety in areas, environmental monitoring and radiation safety.



RADIOACTIVE AIR POLLUTION:

Radioactivity leaked from the plant into the air in January 1982 because drains that should have been sealed with carbon steel plugs were instead covered with tape.



SULFURIC-ACID SPILL:

Hundreds of gallons of concentrated sulfuric acid spilled onto the ground in January 1981, after a plant operator turned the wrong valve.

Environmental problems at TMI

RADIOACTIVE RODENTS:

Radioactive rodent droppings were discovered in the basement of the Unit 2 complex in February 1981. Three months later, radioactivity was identified in rats and in the droppings of mice and rabbits.



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Three Mile Island Alert

Island Updates

News Watch on the
Harrisburg Area

VOL. 5 NO. 2

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—The Patriot, Harrisburg, Pa., Thursday, February 14, 1985

—Sunday Patriot-News, Harrisburg, Pa., March 17, 1985

NRC halts hearings, hastens restart vote

By MICK ROOD
Washington Bureau

WASHINGTON — A determined majority of the Nuclear Regulatory Commission has taken its most decisive step in more than five years toward allowing the restart of the Unit 1 reactor on Three Mile Island.

The commission yesterday voted 3-2 to order that "no further hearings be warranted within the restart proceeding."

The order cancels plans of an NRC licensing board to hold hearings this spring on one of the most controversial of TMI issues — the falsification of cooling water leak rate reports to the NRC at TMI Unit 2 in 1978-79.

It also ignores claims by Commissioners James Asselstine and Frederick Bernthal that new hearings on three other topics need to be held before GPU Nuclear Corp.'s request to renew operation of TMI Unit 1 is considered.

Chairman Nunzio Palladino said one step remains before a restart vote: Commissioners are expected to take several weeks to file written opinions with their votes on whether decisions on two completed licensing board hearings are needed before a vote.

Those hearings, held last year and early this year, concerned the current GPU Nuclear operator training program and the veracity of information provided by utility officials during the March 1979 Unit 2 accident in Londonderry Twp.

If the commission decides it does not need to wait on the decisions, a vote on lifting the August 1979 shutdown order of Unit 1 could be held next month. If the commission decides to wait for the licensing board's decisions, a vote is not expected until April.

For most opponents of the restart, however, the die is cast.

"It's outrageous," said Joanne Doroshow, a lawyer for Three Mile Island Alert, a party to the restart proceeding. "This was a de-



Nunzio Palladino

"Get on with show"

facto vote for restart. They eliminated their biggest obstacle. They clearly have one agenda — to restart the plant."

Palladino, while he made a point of saying he had not decided on the second matter of waiting for board decisions, appeared resolved. He used phrases like "well, let's get on with the show" to describe his belief no further hearings are necessary.

While Palladino was firmly supported by commissioners Thomas Roberts and Lando W. Zech, Asselstine and Bernthal delivered lengthy critiques.

Asselstine said that without further hearings there was "not a sufficient basis to renew the license."

Bernthal said he believed there had been "sufficient changes in personnel and attitude at Unit 1 to preclude significant problems of

the past." But he voted against the order because much of the commission's consideration of the Unit 1 decision has been in private meetings.

The public "would accept and understand" an NRC decision if "all information" was on the public record, Bernthal said.

About 40 Harrisburg-area residents opposed to the restart attended yesterday's 90-minute session, and some of them interrupted the proceedings with applause for Asselstine's criticism of the restart procedure, impromptu statements and a brief demonstration.

Nine of the residents sporting T-shirts baring the letters spelling "NO RESTART" lined up at the side of the room during the discussion.

"We cannot proceed with a demonstration. . . . We must conduct the meeting with decorum. . . . Please take your seats or go to the back of the room," a visibly irritated Palladino said.

When the demonstrators refused, Palladino recessed the meeting for 10 minutes. The nine, who later sat down allowing the commission to resume, were Frances Skolnick, Mary Osborn, Frank Davis, Monique Ullom, Sean Downey, Betsy Epstein, Janine Ullom, Barbara N. Misicko and Joan M. Bellezza.

Because negotiations between commissioners continued right up until meeting time, a finished copy of yesterday's order was not available. But according to a brief summary provided by NRC spokesmen and the incomplete commission discussion, the order:

— Finds that the licensing board should issue its decisions on the GPU Nuclear Corp. training program at Unit 1 and accident

See RESTART—Page B4

communications during the Unit 2 accident. No further hearings will be held.

Palladino and Zech said the training decision was most important, but the question of waiting on it will be answered in the second NRC order to come in several weeks.

— Substitutes for the hearings that were to be held on Unit 2 leak rate falsification "a new proceeding to consider what action to take concerning those individuals possibly involved." The order separates the leak rate episodes from the restart decision.

William G. Kuhns, board chairman of GPU Nuclear's parent company of General Public Utilities Corp., GPU President Herman Dieckamp and TMI Unit 1 manager of operations, Michael Ross, will not be subjects of the inquiry.

Palladino said the three had been cleared last year by the NRC's Office of Investigations and by former U.S. Attorney David Dart Queen. Queen guided a grand jury investigation which led to Metropolitan Edison Co. pleading guilty to one count of criminal misconduct and no contest to six others in the leak rate case.

— Entitles Charles Husted to request a hearing the commission said he should have had before an NRC appeals board ruled Husted could not hold a supervisory job related to operator training at TMI. Husted was accused of test cheating (but never formally found to have cheated) in 1981 and of not cooperating with NRC investigators.

— Requires that no pre-Unit 2 accident supervisory personnel be employed in key positions at Unit 1 without specific NRC approval.

— Orders GPU Nuclear to keep a three-member Nuclear Safety and Compliance Committee. It has installed within its board of directors.

— Asselstine said new hearings should have been ordered by now on:

— Leak rate rigging at Unit 1, which NRC investigators and a GPU Nuclear consultant have claimed was so random and minimal that no misconduct was involved.

— Management's role in harassment of former senior engineer Richard Parks.

Clash generates plenty of steam

Restart—

From Page B1

By MICK ROOD

Washington Bureau

WASHINGTON — When its critics get tough, GPU Nuclear Corp. can get going, too.

Smarting over comments made last week by anti-nuclear attorney Joanne Doroshow about GPU Nuclear's testing and repair of TMI's Unit 1 steam generators, utility spokeswoman Lisa Robinson said: "When anyone makes such scurrilous comments, we want to have a chance to respond."

Doroshow, who represents Three Mile Island Alert in the Unit 1 restart case, had said the utility's proposal not to plug certain worn tubes in the plant steam generators meant GPU Nuclear "is in deep trouble." She accused GPU Nuclear of "getting desperate."

"TO ASSUME we're proposing anything unsafe is nonsense," Robinson said. "We are using state-of-the-art steam generator technology. It's another instance of fear-mongering and an effort to frighten the public. It's done by an organization that has an ulterior motive of wanting to block the restart of Unit 1."

It was one of the sharpest rebukes the utility has issued in reaction to restart criticism.

With the NRC showing every sign of wanting to settle the restart question this spring — six years after the accident that crippled TMI Unit 2 and still Unit 1 until safety changes could be made — handling of the steam generator repairs is a sensitive area.

The NRC staff will decide, perhaps yet this month, whether to approve the technical specification change or whether the proposal constitutes a license amendment requiring a time-consuming safety hearing.

CURRENT SPECIFICATIONS require GPU Nuclear to plug (take out of service) generator tubes with cracks or pits penetrating 40 percent or more through the tube walls. The utility said microscopic pits caused by metal fragments are the only defects showing up now.

As long as that kind of "degradation" stretches less than one-eighth around a tube circumference, the requirement should be loosened to allow 70 percent wear of the tube wall without plugging.

If approved, the change would spare GPU Nuclear the task of plugging about 200 tubes and perhaps hundreds more in the future.

B6—The Patriot, Harrisburg, Pa., Thursday, February 28, 1985

NRC members issue order explaining views on restart

By MICK ROOD
Washington Bureau

WASHINGTON — Nuclear Regulatory Commission members yesterday issued an order explaining why a 3-2 majority believes the Three Mile Island Unit 1 reactor should be restarted without prolonging the nearly 6-year-old proceedings.

The lengthy NRC order was released to justify the decision reached at a Feb. 13 meeting that no further TMI-1 hearings should be held.

"We need not be apologetic to anyone on the efforts this agency has made over these six years to

have identified and adjudicated all relevant, significant, disputed issues," said the majority — Chairman Nunzio Palladino, Lando W. Zech and Thomas Roberts.

"Holding 'trial' when none are required is not, in our judgment, a responsible regulatory action," they said.

In countering, NRC members James Asselstine and Frederick Bernthal said that while the TMI Unit 1 case has been lengthy, it has not been thorough.

"By its decision today [Feb. 13] the commission has violated the trust of the people of central Pennsylvania," Asselstine said.

"While I can appreciate and respect the position of my colleagues, who believe no further hearings . . . are either required or appropriate, I believe that the path they have chosen is unwise and ill-advised," Bernthal said.

Asselstine and Bernthal want more exhaustive hearings before the TMI Unit 1 decision is made:

— On TMI Unit 2 and Unit 1 falsification of coolant water leak rates in 1978-79.

— On why the NRC staff has changed its mind twice about the management competence of GPU Nuclear Corp. to operate Unit 1.

erations, had been shown not to have had any connection with leak rate falsifications at Unit 2.

Asselstine says further hearings on the falsification issue should be held before a Unit 1 decision in order to determine whether high officials of General Public Utilities Corp., the TMI parent company, had any knowledge of the infractions.

management of Unit 1 was different and improved over the personnel who managed Unit 2 at the time of the March 28, 1979, accident in Londonderry Twp.

Palladino, Zech and Roberts said that only one Unit 1 manager who had any connection with the Unit 2 accident is still involved with Unit 1 now. They said Michael Ross, manager of Unit 1 op-

— On the harassment of former TMI Unit 2 senior engineer Richard Parks and on the substance of his safety allegations in the Unit 2 cleanup operations.

The 3-2 majority of the commission has said it has not prejudged the Unit 1 restart issue. However, in yesterday's order they made it clear that the new

The Patriot, Harrisburg, Pa., Thursday, February 14, 1985

Governor wants ban on TMI hearings lifted

WASHINGTON — Pennsylvania Gov. Dick Thornburgh yesterday said the Nuclear Regulatory Commission order ending further Three Mile Island Unit 1 safety hearings should be "reconsidered and reversed."

The NRC action set up machinery that could allow a restart vote in March or April, a prospect opposed by Thornburgh, Pennsylvania Sens. John Heinz and Arlen Specter, and area congressmen.

"I continue to oppose the scheduling of any Unit 1 restart vote until the NRC has satisfactorily resolved the safety issues raised on numerous occasions by this administration and by other parties as well," the governor said in a statement.

Thornburgh called it "inconceivable" that Pennsylvanians would believe their safety was ensured if the NRC "separates issues of restart safety from the restart decision itself."

If that is the effect of yesterday's action, "it should be reconsidered and reversed."

The commission's order precluded hearings on cooling water leak rate falsification at TMI Unit 2 that an NRC licensing board had planned to hold later this spring. An NRC appeals board in Washington had ordered the hearing be held in May 1984.

Last August, Thornburgh included the leak rate hearings on a list of conditions he would put on allowing a Unit 1 restart vote.

In place of the hearings, the NRC said it would institute a new, but undescribed proceeding that would examine the conduct of individual Unit 2 utility employees during the 1978-79 record falsification episodes. The inquiry into individuals' conduct would be separated from any Unit 1 restart vote.

TMI punitive-damage suits allowed by judge

By CHUCK MUIR
Staff Writer

A federal judge, in a precedent-setting decision, has ruled that punitive damages can be sought by people alleging personal injuries as a result of the 1979 nuclear accident at Three Mile Island.

Judge Sylvia H. Rambo's opinion expands the liability of nuclear plant operators under the federal Price-Anderson Act to include more than damages for actual losses such as medical expenses.

General Public Utilities Corp., Metropolitan Edison Co. and other

defendants in the TMI suits had argued that their exposure under the act was limited to such actual loss — compensatory damages.

Price-Anderson created a \$560 million insurance fund — underwritten by nuclear utilities — to compensate nuclear accident victims, but the intent of Congress was fuzzy on whether that included punitive awards.

Punitive damages are intended to punish defendants for outrageous conduct and to deter others from doing the same.

Rambo found the basis for her

opinion in a U.S. Supreme Court decision a year ago that upheld a \$10 million damage award to the estate of Karen Silkwood. Her contamination as a plutonium plant worker in Oklahoma was featured in the hit motion picture "Silkwood."

TMI defendants argued that the Silkwood case did not pertain to them because it was not filed under the Price-Anderson Act, and the Kerr-McGee plutonium facility was not covered by the act at the

See RULING — Page A2

Ruling

From Page A1

time of Silkwood's exposure in 1974.

In reviewing the Atomic Energy Act as it pertained to the Silkwood case, the Supreme Court majority "interpreted" the legislative history of Price-Anderson amendments to "permit the recovery of punitive damages," Rambo noted.

Were it not for the Silkwood decision, Rambo said she might have agreed with the TMI defendants that they were not liable for punitive damages under Price-Anderson. She said she cannot ignore the clear implications of the Supreme Court decision.

Her ruling, issued late Tuesday, will bear on those suits that do go to trial, and possibly, to some degree, on settlement negotiations that obviously are taking place. It

would not affect about \$4 million in settlements recently approved by Dauphin County Court.

Her decision, which opens the door for plaintiffs to seek more than actual losses, is not a voucher to collect punitive damages. They still will have to prove at trial that the defendants acted with wanton and reckless disregard for public safety.

All damages, compensatory and punitive, could not exceed the \$560 million fund set up under Price-Anderson, and actual losses would be given precedence in the unlikely event total awards ever exceeded the fund.

In a related matter, Rambo has signaled her intent to comply with an appellate court decision by transferring or remanding 27 personal injury suits, involving an unknown number of plaintiffs, to

state courts in Dauphin, Adams and Lancaster counties.

The parties involved have 20 days in which to show why that should not be done in light of a 3rd U.S. Circuit Court of Appeals decision denying the district court jurisdiction over those cases.

Rambo has declared that she is retaining jurisdiction over 25 suits of multiple plaintiffs. Those cases were unaffected by the circuit court's ruling.

The appellate court denied federal jurisdiction over suits begun after April 16, 1980 — the date the Nuclear Regulatory Commission decided that the TMI accident was not an extraordinary nuclear occurrence.

It was so labeled before then, and suits filed prior to the NRC decision are properly before the

district court under provisions of the Price-Anderson Act.

Some due to be remanded or transferred may have been included in approved settlements.

Twenty-five suits would go to Dauphin County Court, while county courts in Lancaster and Adams counties would get one each — both involving alleged tourism losses.

Rambo yesterday dismissed four other TMI personal injury suits at the request of counsel for plaintiffs and defendants. It would appear settlements have been reached in those cases.

The insurance companies that underwrote the settlements already approved in Dauphin County Court predict that a "great majority" of the 300 personal injury claims will be settled.

struction of Unit 1 and the damaged Unit 2.

The preliminary suit document is on file at the York County prothonotary's office.

"My wife and I were both burned by radiation and we both had blisters resulting from it," Peters said in an interview.

Peters, 48, said he and his wife, 44, can support the "burn-blisters" claims with medical documentation, but refused to identify examining doctors.

He said there was "a radiation plume overhead" after the accident.

"[The plume] and its radiation

not only injured us, but it killed animals, birds and vegetation," Peters said.

Why did the couple wait so long to file a suit against GPU and the others?

"I'm not sure how I can answer the question. We thought about it for a long time, and last year we decided we should try to recoup losses we suffered by the accident and injuries," Peters said.

They hired attorney Joseph F. Roda of Lancaster, who refused to discuss his clients' case with a reporter. Between two separate interviews (one by telephone and one in person) with the couple, Roda advised them not to talk about the case with anyone.

"There's so much to say about what happened to us and others because of the TMI accident, but our attorney said we shouldn't discuss the details," Peters said.

The couple did talk about some of their experiences, in an earlier interview with ABC-TV, which Peters said will be part of a documentary on nuclear energy to be shown nationally in June.

"We (he and his wife) are not part of any anti-nuke group and we are not anti-nukes," Peters said. They do oppose the reopening of TMI, though.

Peters is a former justice of the peace. He had been a professional car racer and sold race cars and other vehicles. He also operated an automobile body shop, but is now in semiretirement.

TMI 'burns'

-The Patriot, Harrisburg, Pa.

Wednesday, March 13, 1985

Ex-operator at TMI fined for cheating

By CHUCK MUIR
Staff Writer

A federal judge yesterday assured James R. Floyd that he would not be the "scapegoat" for problems at Three Mile Island, then fined him \$2,000 for criminal conduct as a TMI senior plant operator.

A jury convicted Floyd in November on charges stemming from his cheating on tests in 1979 to re-qualify as a TMI operator. He is the first person nationwide to be prosecuted for criminal offenses at a nuclear facility.

Judge Sylvia Rambo did not respond to what seemed a request by U.S. Attorney James West for a harsher penalty — one that would be an "adequate deterrent" for other nuclear operators.

Rambo said the "severe consequences" of Floyd's ruined career as a nuclear engineer were "perhaps" the "most appropriate penalty in this case." His conviction already has cost him a job.

His prosecution alone has been a "deterrent" to him and others in the nuclear field, she said.

Rambo ordered Floyd to serve two years' probation and to provide 400 hours of community service work to those whose lives were affected by the TMI-2 accident five years ago.

Floyd, who left TMI in April 1983, lost a nuclear consultant job in Arkansas after being found guilty on two counts of submitting false statements to the Nuclear Regulatory Commission.

He was supervisor of operations at TMI-2. In overall charge of keeping the crippled plant as under control as possible, when the cheating incident occurred in the summer of 1979.

Defense counsel William J. Fulton said it not been decided whether to appeal the conviction. He claims that Floyd wasn't alone in cheating, and was singled out for prosecution as a manager who did what he did in plain view of his superiors.

Commenting on sentencing factors, Rambo said it became "evident" during trial that "more responsible action by others may have prevented this prosecution." She did not elaborate.

West, interviewed later, said the sentence was "appropriate." He had appeared to be pressing for a tougher penalty. He stressed to the court that Floyd had cheated on matters dealing with public



James R. Floyd
Fined \$2,000, put on probation

safety and "safe operation" of TMI.

Floyd, 48, faced maximum penalties of 10 years in prison and fines of \$20,000 on the two counts for which he was found guilty.

Fulton argued that Floyd's case already had delivered an industry-wide warning. It has been widely publicized in trade journals. "The word is out," he said.

Fulton also observed that the NRC recently proposed amending regulations to make it clear that operator cheating might be treated as a crime. He said Floyd was not aware of that in 1979.

Outside the courtroom, Fulton said it also was never clear under TMI's internal rules that Floyd could not get help to complete a take-home exam. Floyd used answers from another operator, unbeknownst to that person, to complete such an exam.

Before the court and later, Fulton again noted that other operators apparently have cheated on monitored exams and have not been prosecuted. He said the NRC regulation change appears prompted by a half-dozen reports of operator cheating at TMI.

A federal grand jury reportedly is probing TMI operator cheating in 1981. West declined to confirm or deny that.

Floyd was a big and easy target, Fulton said, because he was part of management and candidly admitted what he did.

York Daily Record • Thursday, February 21, 1985

Suit seeks \$7 million from TMI

By MICHAEL ARGENTO
Daily Record staff writer

The parents of a 7-year-old Eters girl with leukemia have filed a \$7 million suit claiming that their daughter's illness was caused by radiation released during the Three Mile Island accident.

The suit, filed by James T. and Teresa Brannon, of Eters RD 2, is one of hundreds that have been filed since the March 1979 accident at TMI.

In a one-page document filed in Dauphin County Common Pleas Court, the Brannons charge that their daughter, Jennifer, developed leukemia because of radiation released during the accident.

Miss Brannon was diagnosed as having the blood disease in February 1983, according to the document.

Defendants in the suit include plant owner General Public Utilities Corp. and plant manufacturer Babcock & Wilcox Corp.

Details of the Brannon's claim were not available. The one-page document filed with the court merely names those involved in the suit and the amount of money sought.

Brannon refused to comment, referring questions to his attorney.

His attorney, Dusan Bratic, who practices in Dillsburg and has been active in other litigation surrounding TMI, said a complaint detailing the suit's charges will be filed in about a month.

TMI

From Page A1

ny's \$4 billion claim because of a well-established exception to damage suits against federal regulatory agencies.

Such agencies are exempt from paying damages, even if negligent, when they are carrying out "discretionary functions," such as regulating nuclear plant safety, the 3rd Circuit Court of Appeals in

-The Patriot, Harrisburg, Pa., Wednesday, February 20, 1985

GPU loses bid to sue U.S. for \$4 billion

By MICK ROOD
Washington Bureau

WASHINGTON — General Public Utilities Corp. lost one case and suffered a setback in another when the U.S. Supreme Court yesterday refused to hear two Three Mile Island-related petitions.

The Parsippany, N.J., holding company clearly lost when the high court let stand lower court rulings that GPU could not sue the federal government for damages arising from the TMI Unit 2 accident in Londonderry Twp. in March 1979. GPU had sought \$4 billion for the Nuclear Regulatory Commission's alleged negligence before the accident.

"We pursued the case to its ultimate conclusion," said Gary Plummer, GPU media relations director. "The Supreme Court has ruled. The matter is closed."

In the other case, GPU, its utility subsidiaries and contractors had said ratepayers seeking to recover bill increases for replacement power and Unit 2 cleanup costs should petition in federal courts. But the Supreme Court let stand a lower court decision saying the ratepayers belong in Pennsylvania courts.

The ratepayers who sued are customers of GPU subsidiaries

Metropolitan Edison Co. and Pennsylvania Electric Co. in Pennsylvania, and Jersey Central Power & Light Co. in New Jersey. Arnold Levin, a Philadelphia lawyer, estimated he represented "at least 100,000" ratepayers in both states.

GPU lawyers argued that accident-related increases in rates would be more than \$1 billion. Such claims should be pursued in federal courts under the federal Price-Anderson Act, they said.

Levin said in a brief that his clients sought "only those damages for increased utility rates which were directly attributable to the negligence and culpability of the defendants and which have been passed on by regulatory agencies to the ratepaying public." Such a contention could be capably settled in state courts, Levin said.

In an interview yesterday, Levin said the \$1 billion-plus estimate was "used to scare the court." Levin expects the cases to be remanded to a state court, probably in Dauphin County, the county of jurisdiction.

A GPU spokesman in Parsippany did not comment on the ratepayer ruling.

In the other case, a lower court had refused to consider the compe-

See TMI — Page A2

Philadelphia ruled last year. The Supreme Court refused to consider GPU's challenge of the exemption.

Jeffrey Axelrad, head of the tort claims branch of the Justice Department, has called the money award sought by GPU the largest of its kind against a government agency.

GPU claimed that because NRC officials failed to pass on in-

formation about a near-accident in 1977 at the Davis-Besse nuclear plant in Ohio, the agency was negligent. Had GPU's Metropolitan Edison personnel at TMI Unit 2 been aware of the Davis-Besse incident involving a stuck-open coolant valve, they would have been able to prevent the TMI accident, the company said.

PUC to investigate Met-Ed rate-hike requests

Met-Ed's request for \$27.5 million in annual net earnings would raise monthly bills of an average customer who uses 500 kilowatt hours of electricity from \$47.13 to \$51.82 — an increase of about 10 percent.

Met-Ed officials said about \$7 million of the request is for depreciation of Unit 1 at the Three Mile Island nuclear power plant while another \$15 million is for improving the reliability and efficiency of the Titus and Portland coal-fired generating stations.

The remainder is to meet higher operating expenses.

As in previous filings, Met-Ed is including rate changes related to the restart of TMI Unit 1. However, those changes — previously approved the PUC — would go into effect only when the unit is returned to operation.

With Unit 1 in operation, base rates would be allowed to rise by \$23.6 million but the energy cost rate would drop by \$80.4 million, meaning a net monthly savings of \$3.83 for the average customer.

Met-Ed serves about 380,000 customers in 14 Pennsylvania counties.

—The Patriot, Harrisburg, Pa., Thursday, February 21, 1985

'Concerned Scientists' give NRC 10th anniversary blast

to cases.

But in reference to the Three Mile Island Unit 1 restart case, Weiss said NRC inefficiency or machinery was not the issue. Rather, she said, the fault was that a majority of the commission "never seriously considered saying 'no' to renewing the operating license of Unit 1 operator GPU Nuclear."

"Every time the decision became ripe and it appeared the answer should be 'no,' the commission backed away from a decision," Weiss said.

Pollard said the commission is supported by a staff "who are the very same people who hid safety problems from the public" at the NRC's predecessor agency, the Atomic Energy Commission. Steven Sholly, a Pennsylvanian who works at UCS, noted that Palladi-

no had sent an anniversary memorandum around to NRC personnel that pointed out that two-thirds of those employed at the NRC in 1975 are still there.

The UCS report breaks down its analysis of the NRC by alleging shortcomings in resolving safety issues, allowing public participation, enforcing regulations and keeping an arm's length from the nuclear industry.

According to UCS, one of several TMI-related shortcomings at the NRC is the agency's handling of steam generator repairs at TMI Unit 1.

The NRC allowed Unit 1 generator leak repairs to proceed without approval of an amendment and without hearings, even though its staff once recommended a license change approval.

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Wednesday, February 13, 1985

Page 10-A

TMI's problems demand extraordinary response

Today in Washington the Nuclear Regulatory Commission is scheduled to take a vote on the future of the Three Mile Island Unit 1 reactor. As a measure of the complexity of the entire TMI matter, and the Byzantine manner in which it has been handled administratively, today's scheduled action is supposed to be a vote on whether to vote to restart Unit 1, idle since the 1979 accident at TMI Unit 2.

The commission has several options, including postponing any action, as happened the last time a vote-on-the-vote question was scheduled. But basically, the choices before the commissioners are (1) to wait for the completion of all the safety investigations it ordered before determining whether Unit 1 can be operated again, or (2) to authorize Unit 1's restart before the outstanding questions are resolved.

If the NRC decides to proceed with the restart vote, it would be conceding what many already believe: that the TMI inquiry is a waste of time, a public-relations ploy that, in the final analysis, is meaningless. If the results of the safety investigations have no bearing on the NRC decision, why were they undertaken?

GPU Nuclear, the utility that operates TMI, maintains it has corrected the deficiencies that led to the 1979 accident. The company maintains it has brought in new management that better understands the process — and the inherent dangers — of generating electricity from the atom.

Those contentions are open to serious question. Nothing substantive appears to have changed at TMI. And responsibility for that rests squarely with the NRC.

On Sunday, Monday and yesterday, The Inquirer published a series of articles detailing the cleanup efforts at TMI Unit 2. That series, written by Susan FitzGerald and Jim Detjen, documented gross negligence by those responsible for ridding the reactor of its deadly contamination. It described a cleanup operation in which safety has such a low priority that hundreds of workers have needlessly been exposed to radioactive contamination.

The series documents more than that: it provides overwhelming evidence that the same mindset that led to the 1979 accident prevails at TMI today. Those responsible for regulating nuclear power and for protecting the public from its hazards fail to recognize that even very low levels of radiation can be dangerous and, as a result, every activity in a nuclear plant demands extraordinary precaution. Such a commitment to safety does not exist at TMI or the NRC.

TMI officials assert the current cleanup operation is no different from "normal industrial work" and is "not considered hazardous as such." That attitude has set the tone for an operation in which workers are denied adequate protective equipment, in which safety concerns among workers are squelched and in which those protesting unsafe practices are subject to harassment and retribution.

Other estimates of the health hazards are quite different from GPU's. The NRC estimates that between two and six workers will die of cancer as a result of their exposures. Some of the nation's foremost radiological experts

assert that as many as 50 workers may die because of TMI, and genetic problems may haunt workers' offspring.

The fact of such disparate assessment of the final human toll of the TMI accident says more about the need for extreme caution than any statistic.

The most dangerous aspect of the cleanup is scheduled to begin this summer: removal of the damaged reactor fuel. The numerous worker exposures to radiation recorded to date — with a few exceptions — have not involved the deadliest of the radioactive debris or the most complex of the cleanup tasks. That awaits the workers this summer.

In the aftermath of the TMI accident, a special presidential commission was formed to investigate the events and the adequacy of NRC regulation. A similar, extraordinary response to operations at TMI is warranted again.

That should be apparent to everyone concerned with the future of nuclear energy in this nation — those who believe it must be developed as well as those who oppose it. If the atom is to be an accepted energy source, it must be managed as the dangerous thing it is. The FitzGerald-Detjen series revealed that such caution and care are lacking at Three Mile Island.

Given this record, can the NRC possibly render a decision in the TMI matter that will be accepted by the public? The mere fact that the commissioners might vote on restarting Unit 1 before having all the evidence at hand should dispel any doubts in that regard. The fact also that the NRC administrative law judge hearing the Unit 1 case wrote a letter on behalf of a GPU employee convicted of cheating on an NRC licensing exam makes the need for an independent fact-finder and decision-maker even more compelling.

Anything less would only ensure that the lawsuits and public protests over TMI will mount, delaying any prompt cleanup.

There must be one other response to the situation at TMI. At present, no records are maintained about radiation exposures after workers leave TMI. GPU officials have opposed the creation of such a registry, and the NRC has not insisted on it. The lack of such a record will, in fact, ensure that no one will ever know the final consequences of the accident. And that injured workers will be denied benefits due them.

The National Institute of Occupational Safety and Health should undertake an immediate survey of workers at TMI and attempt to trace those who have left to develop a registry for the future. That would be an invaluable record for everyone.

The NRC has demonstrated itself incapable of ensuring that the cleanup will be conducted safely, and that the well-being of those working in and living near the plant is being protected. The situation at TMI today requires immediate and extraordinary response on the part of those in government charged with safeguarding the public interest. Deciding the future of TMI must not be left with the NRC.

—The Patriot, Harrisburg, Pa., Tuesday, March 5, 1985

GPU wants generator rules eased

By MICK ROOD

WASHINGTON — GPU Nuclear Corp. has asked the government to let it test and later operate steam generators at Three Mile Island Unit 1 without plugging hundreds of worn generator tubes as plant technical specifications require.

GPU's request for Nuclear Regulatory Commission approval apparently constitutes a policy change. Late in November GPU Nuclear had said it would plug all generator tubes found to be defective after further testing.

GPU Nuclear first discussed a less restrictive plugging standard with the NRC technical staff three weeks ago, but it did not notify the commission or parties to the TMI Unit 1 restart case. The NRC staff, which hopes to decide on the GPU Nuclear request by April, began alerting the commission and parties involved yesterday.

The GPU plan suggests the two Unit 1 generators still pose thorny safety problems for the restart of Unit 1 at the Londonderry Twp. nuclear plant and the potential for less than efficient operation if the NRC eventually approves restart.

"It indicates GPU is in deep trouble over these generators," said attorney Joanne Doroshow of TMI Alert Inc., which is the intervening party that has specialized in the generator issue. "It seems to me they're getting desperate."

Doroshow said the utility's proposal is more than a technical specification change that can be left to the NRC staff to pass on.

She plans to request a hearing on the basis that safety issues involved require a change in GPU Nuclear's operating license.

The company contends that recurrent tube defects found during periodic testing are under control in the generators, which function as radiators to circulate water to cool the reactor's primary system.

GPU Nuclear President Philip R. Clark described in general terms the company's proposal in written testimony submitted to the Public Utility Commission early last month. The PUC is considering a rate increase request from Metropolitan Edison Co. and Pennsylvania Electric Co., which own TMI Unit 1 along with Jersey Central Power & Light.

Harley Silver, NRC project manager for TMI Unit 1 steam generators, said if GPU Nuclear's proposal is approved, "it would be precedent-setting for all plants" because it would allow less plugging of certain kinds of worn generator tubes.

Each generator contains 15,531 tubes that are 56 inches long and 0.034 of an inch thick. The question is how thick the tube walls should be to guard against ruptures or leaks — the types of multiple failures that could cause a nuclear plant accident.

GPU Nuclear spent \$40 million on a controversial method of repairing the tubes after massive chemical corrosion was discovered in 1981. On several occasions since then — the latest in November 1984 — the company has discov-

See TMI—Page A2

From Page A1

ered more cracks and dents requiring the plugging of hundreds of tubes in both generators.

Under technical specifications developed a decade ago, the utility is required to plug, or take out of service, any tube that has circumferential cracks that thin the tube wall more than 40 percent. GPU Nuclear has proposed to the NRC that plugging not be required where degradation up to 70 percent has occurred for cracks or pits less than one-eighth of the circumference of the tube.

Clark told the PUC the "revised criteria" would allow the company to plug 103 out of 327 tubes discovered since November "to have greater than 40 percent through-wall indications of material degradation." That also would apply to such defects in the future.

GPU Nuclear spokeswoman Lisa Robinson said most of the tube degradation being discovered involves "tiny pin holes" caused by "metal grains from previously existing defects."

Robinson said, and the NRC's Silver confirmed, that "bubble" and "drip" tests this week have shown "no further degradation." Those tests are less rigorous than the "eddy current" testing that detected the 327 defective tubes in

November.

The company also has proposed that non-nuclear, hot functional testing be done as soon as possible under the new plugging rules. But new eddy current tests would not be conducted until from three to six months after Unit 1 restart is approved, if it is approved.

Silver, while saying the revision would be "significant," added that GPU Nuclear "may be right when they argue their criteria would allow deeper, shorter defects that are no worse than shallower, circumferential defects."

In answer to written questions from the Patriot-News, Robinson said on Feb. 6 that "The NRC has been made fully aware of the status of the TMI-1 steam generators by both written and verbal reports. The defect indications observed in late November are indicative of small defects which do not pose a safety hazard."

She said this week that 1,009 tubes in the "A" generator and 300 tubes in the "B" generator have been plugged due to defects. Clark told the PUC that as a practical matter, GPU Nuclear might have to operate Unit 1 at less than capacity if 3,000 tubes — no more than 2,250 in one generator — had to be plugged.

Robinson said there is no specific limit of tube pluggings at which the NRC would deny restart of Unit 1.

NRC Inspector Richard Conte in the agency's Unit 1 office in Middletown confirmed that, but said, "The NRC's safety concern is that with the additional blocking of tubes, you're going to lessen the reactor coolant system flow of water in the reactor."

While the NRC pursues the safety aspects, Clark was asked during the Met-Ed rate-making proceeding for economic reasons by the Pennsylvania Office of Consumer Advocate.

Assistant Consumer Advocate Scott J. Rubin said his office wanted to know whether GPU Nuclear was attempting to recover TMI Unit 1 generator repair costs from ratepayers. The company is not, Rubin learned.

He said GPU Nuclear is waiting to see if insurance will pick up the tab. If it does not, the consumer office would want to guard against any attempt to charge the costs to ratepayers, Rubin said.

Beyond that, if the tube plugging eventually affects plant capacity of Unit 1 if it is restarted, Rubin said that could reduce rate savings to customers.

3

The Patriot, Harrisburg, Pa., Tuesday, March 5, 1985

• SKIN CONTAMINATIONS — NOT ROUTINE, NOR DANGEROUS —

Skin contamination typically occurs when radioactive material penetrates protective clothing and adheres to a worker's skin. As we told The Inquirer's reporters; there were 593 instances of skin contamination at TMI-2 since the 1979 accident through 1984. They account for the hundreds of workers The Inquirer said "have routinely become contaminated with radioactive materials" during the cleanup. Skin contaminations, however, are not routine at TMI-2. Their frequency has been only one for every 1,000 personhours of work in contaminated areas, less than at most operating nuclear plants.

And the contamination is not dangerous. It normally is washed off with soap and water. Typical doses are less than one millirem to a small portion of skin. In its 1980 report, the National Academy of Science's Committee on the Biological Effects of Ionizing Radiation (the BEIR Committee) found no skin-cancer deaths in radiotherapy doses one million or more times higher. Most skin contaminations could be prevented by extra layers of plastic clothing. But that would increase a worker's susceptibility to heat stress, which our independent Safety Advisory Board and other experts agree is a greater hazard than skin contamination. The Inquirer didn't tell you that.

Middletown remains concerned by TMI

By PETER KELLEY
Staff Writer

Worries caused by the accident at Three Mile Island linger years later. Two local college professors have found from a survey of Middletown residents.

Their findings agree with the 1982 work here of another researcher, Andrew Baum, a Bethesda, Md., health psychologist. He suggested that psychological effects last longer after man-made disasters involving pollution than that from natural disasters in which the danger passes.

Many residents feel they lack control over their lives, the professors told 40 colleagues and students yesterday at Pennsylvania State University's Capitol Campus. And half say they have lost faith in "experts" they once trusted to make complex decisions on their behalf.

"There was a poignancy to their recollections of the accident that led me to think something more had happened, like a profound jarring of their world view," said Dr. Sandra Prince-Embury, a Capitol Campus psychologist and one of the researchers.

"It was a loss of a sense of control, a loss of one's basic sense of invulnerability that was an important part of pre-disaster coping," she recalled from the survey, done in the spring and summer of 1983, four years after the accident.

Her prescription: A unique adult education course that on 12 Thursday nights would bring together leading researchers on radiation, cancer and public health so anyone could ask them questions.

The course is scheduled to start free of charge at 7 p.m. Feb. 28 in the multipurpose room at Capitol Campus. But Prince-Embury still doesn't know if it will come off — the funding has been held up by objections to some of her more controversial speakers.

Prince-Embury has asked for \$18,900 from the TMI Public Health Fund to pay for videotaping, speakers' fees, travel expenses and administrative costs.

The objections came from Philadelphia lawyers, representing insurance companies that spent \$5 million to settle claims by setting up the fund in 1981.

Under the rules, lawyers for the insurance companies and the people whose lawsuits led to the fund get to comment on how the money is spent.

The final decision belongs to U.S. Middle District Judge Sylvia Rambo, in whose court the fund was arranged.

On Jan. 29, Rambo wrote Prince-Embury that she had not ordered funding yet because "another impediment" had come up: The lawyers' "strong objections."

Alfred Wilcox of Philadelphia, who represents the insurance companies, explained last night: "To preserve the neutrality of the fund, we feel it should distance itself

The Patriot, Harrisburg, Pa., Friday, March 15, 1985

GPU complaint

EDITOR:

IF GENERAL Public Utilities has a complaint that some information was omitted from its story on TMI, then what about the residents (votes) who voted against opening TMI? Does GPU feel that these people have a gripe?

What about the former chairman of the TMI advisory panel who resigned from this panel because GPU (and NRC) paid no heed to this panel?

The same day this ad was printed in the paper the present chairman of the TMI advisory panel complained on a television news show that GPU Corporation was not paying the fines that the NRC had levied on this utility. That information coming from GPU reached the advisory panel at a very slow pace.

If GPU was lily-white and has the cleanup situation under control then why complain about the press? There really should be no problem.

We want to go on record to say that we praise the news media for the reporting about TMI as accurately as they have. Without the news coverage how would we have been able to get this information?

We are grateful to the press and news media for a job well done. Thank you.

—Al Manik,
Middletown

from parties to litigation or experts they retain."

He claimed David Berger, a lawyer for those who brought the lawsuits, agreed with his suggestions that the speakers be dropped. Berger could not be reached for comment.

In response, Prince-Embury has agreed to drop four speakers — including Marjorie Aamodt, who with her husband, a Lancaster County farmer, has launched a new effort to prove that a spate of cancer cases followed the TMI accident.

The others who have been asked not to come are Dr. James Gunckel, a botanist and professor emeritus of Rutgers University; Dr. Bruce Molholt, a geneticist and adjunct professor at Temple University, and Bernd Franke, a West German physicist who is a consultant to the TMI Public Health Fund.

Prince-Embury, still waiting yesterday for word on funding, would not criticize those who pressed for changes in her course.

"All I can see right now is getting the information to the people who need it," she said. "Both because they were in pain and because they were not being understood, they grabbed my attention."

Dr. James F. Rooney, the sociology professor who launched the survey with Prince-Embury, listed some of their main conclusions:

— As a group, Middletown residents in 1983 listed nuclear power fourth among the world's social problems, behind unemployment, crime and war.

— The issue of restarting the Unit 1 reactor continues to split them down the middle, with 46 percent in favor, 51 percent opposed and the rest giving no opinion.

— Knowing whether someone in Middletown is liberal or conservative does not help predict how they feel about nuclear power.

— Parents with children at home are more likely than others to oppose nuclear power and the Unit 1 restart. That cannot be said of any other group in the Middletown population.

— By majorities of 2-1 or more, Middletown residents worry about a future accident at TMI, worry about radiation releases during the cleanup of Unit 2, and worry about getting cancer or other diseases as a result. Residents during the accident and newcomers feel about the same.

Fear of TMI

EDITOR:

YOUR EDITORIAL of March 4th, TMI "fear-mongers" acknowledges "... that considerable public concern exists surrounding the possible restart of the undamaged nuclear reactor at Three Mile Island", but deplores "... using fear to arouse the public."

The Nuclear Regulatory Commission has as its primary responsibility, "... to protect the public health and safety from the potential threats posed by the operation of nuclear power plants." But the NRC has not met that responsibility. Hence, the fear that caused many thousands of us to flee our homes after the TMI accident, not knowing if or when we would be able to return, cannot be allayed by ignoring it.

In its current issue of "Nucleus," the Union of Concerned Scientists reviews NRC operations, saying, "The TMI accident joined the NRC into proposing a myriad of tangible safety improvements, yet the reforms were insufficient and fleeting. Some changes in attitude were evident in 1979-1980, but the momentum for positive change had dissipated by 1981."

UCS concluded, "Without major changes in the attitudes and procedures of the NRC, we are pessimistic that it can meet the challenge of regulating nuclear power in the 1980s and 1990s."

Obviously, public concern (fear) persists, the GPU public relations program notwithstanding. There should not be a restart of Unit 1 unless and until safety issues are resolved to the satisfaction of the public.

—Milton Lowenthal,
Harrisburg

The writer is chairman of the Central Pennsylvania chapter of the Union of American and Japanese Professionals Against Nuclear Omnicide.

The FORUM

TMI concern is valid

EDITOR:

IN YOUR March 4 editorial about the anti-restart rally at TMI, you referred to comments made by two of the speakers as hysterical claims and categorized those speakers as "fear-mongers." I take issue with that categorization and feel that the root of the problem is not what they said but what the media has failed to say over the last six years.

The speaker who tossed apples was certainly being dramatic. All good speakers are. However, when your editorial referred to the meltdown he was portraying as an "incident that didn't even occur, that may have been improbable," you were ignoring recent disclosures that uranium did, in fact, melt during the accident. Local anti-restart groups have maintained for years that this had probably occurred but GPU had maintained that such claims were hysterical. Considering the inept response to the accident by plant operators and their criminal conduct which directly contributed to the accident, it is apparent that pure dumb luck was what prevented the further meltdown the speaker described. I hope the editors of the Patriot realize that the plant was indeed within minutes of that catastrophic event.

You also criticized the speaker who "urged area residents to monitor their health and, in the process, associated the 'survivors' of TMI with the survivors of Hiroshima." Understand this — residents around TMI were exposed to dangerous levels of radiation. It has long been obvious that the dose assessments of GPU were pure garbage. Independent studies indicate radiation releases many times what GPU claims. For instance, a study commissioned by the TMI Public Health Fund concluded that over 11 million curies of radioliodine are unaccounted for and that estimates of whole-body population doses for short-lived radioisotopes vary from 276 to 63,000 person-rems. What the speaker was noting was that scientific studies indicate that more people suffered health effects from radiation at Hiroshima than was previously known. Therefore, we must expect more health problems here. It is merely prudent to carefully monitor the health of those who were in the path of the radiation plumes.

Finally, you state that residents shouldn't face restart with a sense of alarm or panic. The NRC is preparing to place back behind the controls of TMI a corporation that has admitted criminal guilt in the operation of Unit 2. Unit 1 is not undamaged as you state. Due to negligence, it has the most severely corroded, cracked and damaged steam generators in the country (according to the NRC). Face restart with a sense of panic? No. Alarm, yes; fear, yes; outrage, yes.

—Brian Hunt,
Harrisburg

The Patriot,

Harrisburg, Pa., Wednesday, March 6, 1985

Boy Scouts to seek badge at TMI plant

Area Boy Scouts will get a chance to earn an Atomic Energy Merit Badge during an eight-hour program of instruction Saturday at the Three Mile Island Nuclear Generating Station, Londonderry Twp.

It is the fourth year that TMI employees have volunteered to teach Scouts from nine area counties about various aspects of nuclear power generation. The program will be repeated Oct. 26.

NRC hearings

EDITOR:

SURELY, one must marvel at the audacious ingenuity shown by the NRC/GPU team in their latest effort to extricate themselves from the mess they made of hearings into Three-Mile Island for which they are jointly responsible. Unable to twist the judicial process far enough in their own favor, they are driven to the ultimate solution: Stop the hearings.

In spite of the promise by Chairman Palladino that no vote on restart of Unit 1 would be scheduled until all matters of public safety and management competence/integrity are resolved, they voted instead on Feb. 13 to end this foolish idea that the public should participate and help bring out the truth and thus assist them to better perform their function. It might be a good theory but a great inconvenience. The trouble was the public intervenors kept raising embarrassing questions and revealing unsavory facts, thus disrupting their carefully planned whitewash and coverup of William Kuhns and Herman Dieckamp who were top "management" but it seems, involved only in counting the money.

Commissioner Lando Zech, the most recent appointee who came on board with orders to shorten this pesky business of public hearings, carried out his task with dispatch. His logic was simple: "Six years is long enough to get all the facts in any

The Patriot, Harrisburg, Pa.

Wednesday, February 13, 1985

TMI cancers

EDITOR:

RECENT double editorials in the Patriot: "Reed on a limb" and "Look into cancer cluster" (Jan. 22) were fragmented and elusive; leaving the reader with,

metaphorically speaking, half a loaf.

Since I was not present when Mayor Stephen Reed addressed the United Kingdom Atomic Energy Authority on TMI events, it would be inappropriate for me to respond to his presentation. However, the editorial author's reasoning that a Middletown Mayor would somehow "Be a better choice" to speak on the subject of TMI than a Harrisburg mayor, based on geographical location, defies reasonable comprehension.

Furthermore, the author's charge: "Misleading information about health effects which had long since been discounted and discredited by health officials," revealed the lack of research and investigative reporting which is so essential and an integral part of journalism.

We recognize that this newspaper prides itself on candor and propriety. Therefore, it comes as a surprise and disappointment when we read an editorial that is filled with opinion, lacks pertinent facts and stoops to derogatory name calling. Something this newspaper has abhorred in the past.

Contrary to the author's disclaimer of health effects around TMI which were based on health official reports, there is ample evidence and scientific responses to substantiate the increase in hypothyroidism, cancer clusters, stillbirths, congenital birth defects and crib deaths. Dr. Tokuhata of the state Health Dept. deleted infants deaths from the 1979 statistics submitted to the federal government. This is not speculation or a "guessimate." It is common knowledge that the increase in infant mortality rates rose at the very time of year it usually subsides. Should the author have any further doubts perhaps some researching the local obituary columns from every local newspaper including the Patriot might be more convincing. Bet-

ter still a phone call to the former Secretary of Health, Dr. Gordon MacLeod, could enlighten the author on his missing facts.

To concede, as the author has: "That the government estimates that small amounts of radiation released into the environment by normal operation of each nuclear plant will contribute to the deaths of a small number of people over the life of the plant and that TMI possibly will result in a few more deaths over time and that nuclear-power related deaths are infinitesimal," indicates a callousness beyond belief. This was not the story told before the plant was constructed.

Not only was our door to door research time consuming and expensive, it was heart-rending to look into the tear-filled eyes of a husband or a wife whose mate was dying of cancer or had just recently succumbed to this horrible disease. One mother/wife was so distraught at the loss of her husband and son from cancer that we could not interview her.

Studies can show "definitively" if people are dying from cancer due to cumulative radiation effects (insult) to the body. That is the purpose of control-group studies. The areas chosen were all elevated and isolated from industrial contaminants. Prior to 1979 we saw many health effects among the animals but human cancer rates appeared to be minuscule in the area. Today it is a different story and we have good cause for concern. The map clearly reveals clustering. Many the cancers in the area were omitted because they were outside the control group. The denial syndrome will always be with us. It's only when one becomes the victim that reality strikes home.

—Charles E. Leising,
Boiling Springs

—Jane Lee,
Etters

Royal Liscom, a TMI quality assurance engineer and Scout leader, who is chairman of the Atomic Energy Merit Badge Committee, said the daylong sessions will include lectures by representatives of various departments at TMI, slide programs, videotapes and

practical exercises.

4

Controversial judge can still rule on TMI issues

By MICHAEL ARGENTO
Daily Record staff writer

Administrative Law Judge Ivan Smith, who has asked for leniency for a former Three Mile Island supervisor convicted of cheating on tests, will still be able to render the two decisions yet to be made in the restart of the plant's unit 1 reactor.

That's because of the Nuclear Regulatory Commission's decision Wednesday that no further hearings are required to determine whether TMI's unit 1 should be allowed to reopen.

Judge Smith, chairman of the NRC's Atomic Safety and Licensing Board, came under fire in January when Gov. Dick Thornburgh, state Rep. Bruce Smith R-92, and other public officials asked that he step down.

But Judge Smith can make the decisions resulting from two hearings that were just completed. Those hearings dealt with the training of reactor operators and

whether plant owner General Public Utilities lied to the NRC and Congress about the severity of the accident.

After rendering those decisions, NRC spokesman Frank Ingram said Judge Smith can grant the requests that he not preside over any further hearings on TMI.

The development angered those who had sought Judge Smith's removal.

"For Ivan Smith to continue as judge is like the British trying Benedict Arnold," Rep. Smith said.

Gov. Dick Thornburgh is not giving up the fight.

"I think our point is valid whether it's his writing a decision or presiding over hearings," Roland Page, a spokesman for Thornburgh, said.

The officials first asked for Judge Smith's removal after he wrote a letter to U.S. District Judge Sylvia Rambo requesting leniency for James Floyd, who was convicted of cheating on an NRC licensing test.

State argues judge erred, asks NRC to pull him off TMI case

By DAVID MORRIS
Staff Writer

Lawyers for the state yesterday formally asked the Nuclear Regulatory Commission to remove an administrative law judge from a panel that will determine if the undamaged reactor at Three Mile Island should be restarted.

In a 19-page motion filed in Washington, the Thornburgh administration said the official, Ivan W. Smith, should be removed from the case because of "substantial defects in [his] conduct, each of which cast doubt upon the integrity and impartiality" of the restart hearings. Smith chaired the hearings.

Earlier this year, Gov. Dick Thornburgh asked Smith to

disqualify himself, but he refused on Feb. 20.

In his first call for Smith's ouster, Thornburgh said the presiding judge "has gone out of his way to prove himself incapable of fair and impartial decision-making in this complex and difficult matter."

A number of other critics, including state Rep. Bruce I. Smith Jr., R-York, the Union of Concerned Scientists and Three Mile Island Alert, also have petitioned for his removal.

The administrative law judge drew criticism for a Dec. 27 letter to federal Judge Sylvia H. Rambo, in which he recommended a lenient sentence for a TMI operator convicted of cheating on NRC licens-

ing examinations. The conviction of James R. Floyd in itself would deter others from cheating, Ivan Smith wrote, so a tough sentence would "add nothing."

Smith said he would not step down from the case because the Judicial Code of Ethics said a judge "should be unswayed by partisan interests, public clamor or fear of criticism."

Smith, a veteran law judge, said his letter to Rambo, written at the request of Floyd's lawyer, was "consistent with and in furtherance of the highest standards of professional responsibility."

Shortly after his decision, the NRC said it would review the question of Smith's further participation.

NRC to rule on maverick judge's role

By MICK ROOD
Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission took steps yesterday to decide soon whether Administrative Law Judge Ivan W. Smith was right in refusing to step down as presiding judge in the Three Mile Island Unit 1 restart hearings.

Smith's spirited defense of his conduct during the most recent Unit 1 hearings was entered in a 54-page order on Wednesday. When the order was released yesterday morning, it was accompanied by a commission statement wrestling judgment of the order from an NRC appeals board that would normally review it.

The commission said its action was prompted by the "importance of this question" and "the need for a prompt, definitive resolution" in the context of the potential reopening of TMI Unit 1.

"I have acted honorably, ethically and appropriately throughout this proceeding," Smith said at the outset of his order. "I have no personal biases against any

party or any participating individual, nor have I projected the appearance of bias."

Since 1980, Smith has presided over hearings on all aspects of utility management and safety hardware changes GPU Nuclear Corp. has made to requalify as a fit operator of Unit 1. Being refueled at the time of the March 1979 TMI Unit 2 accident, the Unit 1 power plant was ordered shut down indefinitely in August 1979.

Smith's fitness to sit wasn't formally questioned until the most recent Unit 1 hearings on adequacy of operator training since 1981 and propriety of Unit 2 accident communications in 1979.

On Dec. 27, before the operator training hearings were completed, Smith wrote to U.S. Middle District Judge Sylvia H. Rambo that former TMI Unit 2 operator James R. Floyd be treated with leniency. Floyd awaits sentencing by Rambo after his conviction last November of cheating on a license exam in 1979.

In his "personal view," based on what he knew of the TMI case, Smith wrote

Rambo that the NRC regulatory process will "identify and resolve" problems and that "deception in the future is very unlikely." A severe sentence for Floyd would "add nothing," he said.

The letter, sent at the request of Floyd's attorney, William Fuller, backfired. Fuller had indicated "there was a concern that he [Floyd] could be imprisoned and that a letter might be helpful," Smith said in a footnote to his order.

In quick succession, the Commonwealth of Pennsylvania, the Union of Concerned Scientists and Three Mile Island Alert, all parties to the restart case, filed motions that Smith disqualify himself. NRC staff attorneys didn't file a motion to that effect, but also concluded in a "response" pleading that the judge had given the appearance of bias.

The state, UCS and TMIA also alleged varying examples of prejudicial conduct by Smith during the Unit 1 hearings. Only GPU Nuclear among the parties to the restart case opposed disqualification.

"It will be seen that it is easier to accuse than to explain," Smith said in his order.

Smith defiantly described the letter to Rambo as "consistent with and in furtherance of the highest standards of professional responsibility."

Specifically, Smith said: — He didn't know Floyd, and spoke only to things he had learned during the hearings or from the media. Smith spoke up because he had "useful information" and an "ethical responsibility" to impart it. He interpreted Canon 1 of the Code of Judicial Conduct, which "calls upon judges to preserve an honorable judiciary," as overriding.

— He didn't prejudice the TMI Unit 1 restart in the letter by expressing confidence in NRC machinery and saying future deception at Unit 1 is "very unlikely." If the evidence suggests it, Smith claimed he would be ready to impose conditions on GPU Nuclear's license or to deny the license outright.

— His conduct at the hearings didn't demonstrate excessive concern for the fate of individual operators implicated in the exam cheating incidents. Smith said safety concerns need not conflict with the due process rights of reactor operators accused of cheating. In one case, Smith argued that an effort should have been made to retain, "if possible, an experienced and qualified instructor — all in the interest of safety."

— Claims by the state and TMIA that they were unfairly treated were untrue. In one of several examples, the judge said he denied former Commissioners Peter Bradford and Victor Gilinsky the right to testify in the restart hearings because it did not appear they knew what was "properly before the board."

TMIA had sought testimony from Bradford and Gilinsky, both of whom had been highly critical of GPU Nuclear while in office, on the question of whether the utility truthfully informed the government of Unit 2 accident conditions in 1979.

—The Patriot, Harrisburg, Pa., Friday, February 22, 1985

Scientists shock NRC, call for more research

By MATT YANCEY
Associated Press

WASHINGTON — A scientific panel yesterday termed as "not yet adequate" a \$265 million research effort aimed at showing that potential radioactivity from atomic power plant accidents is much less than previously thought.

The long-awaited report from an American Physical Society group headed by Harvard physicist Richard Wilson shocked government and industry officials who had anticipated the five years of research would provide a basis for weakening federal atomic safety rules.

Wilson said his panel "declined to agree" with an assertion in November and December by the American Nuclear Society and other industry groups that the maximum possible releases of radioactivity are only one-tenth to one one-thousandth those previously believed.

"Some on the review committee felt we should explicitly disagree with it," Wilson told the five-member Nuclear Regulatory Commission in a two-hour briefing on his panel's report. "No one wanted to support the conclusions of the ANS."

Industry and government officials were clearly dismayed after the meeting.

"I don't know what it all means yet," said Carl Goldstein of the Committee for Energy Awareness, a multimillion-dollar industry organization devoted to promoting nuclear and coal-generated electricity. "They certainly hedged."

NRC Commissioner Fred Bernthal said he was "troubled that here we are in 1985 with significant additional research that needs to be done. This issue should have been addressed 10 years ago."

Asked if the "bottom line" of the Wilson panel's report is that there is not yet enough knowledge about the nature of radioactivity releases from possible accidents to weaken regulations, Commissioner James Asselstine said: "That's the way I read it."

Industry and NRC officials had looked to the American Physical Society "peer review" and acceptance of the ANS conclusions to begin rewriting regulations to cut the evacuation zones around nuclear plants from a 10-mile radius to two miles.

The research also was anticipated to provide justification for changing policies that prevent future plants from being located near population centers and asking Congress to forgo increasing the required insurance coverage for accidents, as the NRC has recommended.

The research was spawned by the March 1979 accident at the Three Mile Island nuclear plant in central Pennsylvania — the worst in the industry's history — and observations that much less radioactive iodine was released than had been expected.

While iodine is only one of the radionuclides or so-called "source terms" capable of escaping from a power plant in a severe accident, it is the one that is of most concern because it has a long radioactive

life and is readily absorbed by body tissues.

Estimates of those "source terms" from a 1975 Reactor Safety Study commissioned by the NRC have provided the scientific basis for many of the government atomic safety regulations.

"It is not yet possible to derive factors by which the source terms for all radionuclides and all reactors can be changed from the values reported in the Reactor Safety Study," said the 13-member Wilson panel. The society is the leading professional organization for U.S. physicists.

While maximum radioactivity releases for some accident sequences are clearly less than those estimated in 1975, they may be the same or even greater for other possible accident scenarios, Wilson said.

"We would like to see more data," he told the commission. "We're not only saying that the data now is not good enough; we're saying it can be and should be better."

He later told reporters it would take another two years of research and four or five years more for independent scientists to review the work before he would feel confident with any conclusions.

Asked specifically by NRC Chairman Nunzio Palladino if the research up to now is "far enough along" to warrant reconsideration of emergency planning and evacuation requirements, Wilson said: "We are explicitly not prepared to make any recommendation."

14—Metro East, March 12, 1985

Lower Swatara board protests NRC's stand on restart hearings

Lower Swatara Twp. Commissioners, in a letter to President Reagan, have protested a recent Nuclear Regulatory Commission decision that no further hearings are needed in the Three Mile Island Unit 1 restart case.

"The position of the Swatara board is that the cleanup of the Unit 1 reactor and categorical assurances of public health, safety and welfare must precede any consideration given to the reactivation of Unit 1," said Frank Siffrin, township manager, in the letter.

Township officials believe it is

"imperative that environmental, operational safety and public safety concerns be fully addressed and the accompanying impacts known prior to NRC consideration of a restart vote," he said.

"Residents of this township and the midstate area have an important right to expect that safety-related hearings are completed and all facts publicly disclosed before an issue of such paramount importance can be approached with any semblance of reason," Siffrin told Reagan in the letter.

"The board asks your support and intervention to ensure that due process is accorded to the residents of this area," he wrote.

Lower Swatara officials contend that the decision was a subjective one, and should have been made on the evidence of studies and investigations that have not yet been completed.

Some N-fuel did melt

From staff and wire reports

MIDDLETOWN — Scientists disclosed for the first time yesterday that some nuclear fuel melted in the reactor core during the 1979 accident at Three Mile Island.

Recent studies of pea-sized pieces of rubble taken from the top of the core show that temperatures reached about 5,100 degrees Fahrenheit, about 400 degrees above previous estimates, said Harold Burton, TMI project manager for EG&G Idaho, a contractor hired by the U.S. Department of Energy.

In a separate report, GPU Nuclear Corp., the plant's operator, said melting of fuel did not mean the plant was close to a "meltdown," which could have resulted in the release of dangerous radiation outside the plant.

Earlier studies had indicated core temperatures went as high as 4,700 degrees, melting some metal parts but not the uranium fuel.

Burton and officials for GPU Nuclear Corp., TMI's operator, said melting of fuel did not mean the plant was close to a "meltdown," which could have resulted in the release of dangerous radiation outside the plant.

breach of the reactor vessel, clearly did not occur," said Frank Standerfer, vice president of GPU Nuclear.

"I think it's silly for them to say they were never close to a meltdown even if some of the fuel melted," said Robert Pollard, a nuclear expert with the Union of Concerned Scientists.

The new disclosure "clearly indicates the accident was much more severe than anyone knew before now," Pollard said. However, he added, "It doesn't represent any hazard at this point to the public."

In a prepared statement, EG&G said it was not clear how much of the core reached 5,100 degrees, and said it was still studying the test results.

During the accident — the nation's worst at a commercial nuclear power plant — the core of the Unit 2 reactor overheated when it was no longer covered with vital cooling water.

GPU officials said that in order for a catastrophe to have occurred, the fuel would have had to melt through the six-inch-thick steel vessel which contains the core and through the concrete bottom of the reactor building.

THE MORNING CALL, FRIDAY, FEBRUARY 22, 1985

ALLENTOWN, PA.

TMI

Continued From Page A1

"The reactor vessel is very much intact," said John DeVine Jr., director of technical planning at the reactor.

A 1980 special inquiry for the Nuclear Regulatory Commission said engineering calculations showed that a substantial portion of the core's fuel came within 30-60 minutes of melting.

Burton said yesterday the new evidence is not sufficient to say whether there was substantial fuel melting.

Douglas Bedell, manager of communications services for GPU Nuclear Corp., who was in Allentown last night, characterized the spike in temperature at the core as a "localized phenomena, not generalized" — and could have been effected by the metal involved, water flow and heat transfer.

"There are places nearby where the steel walls are untouched."

Bedell said the reactor vessel is intact — "until fairly recently it was maintained under pressure and was for several years after the accident. It had its integrity all that time."

"A meltdown is not likely to occur in the popular sense, the China Syndrome sense. What amount of

melting we had is not clear at this time," he said.

When questioned on what temperature the vessel could have been breached at, Bedell said he was moving into a "speculative area."

"We're looking through a knot-hole today," he said, adding the DOE's study will determine the state of the fuel and the sequence of events of the accident.

But cleanup of the damaged fuel should not be delayed, he said. "The tooling we've been developing included tooling to handle chunks."

That cleanup is expected to begin this summer and continue for a year to 18 months.

Burton's announcement came at a news conference held by GPU to show television pictures taken for the first time underneath the core. The pictures, taken Wednesday, revealed that fist-sized chunks of rubble, perhaps including some molten fuel, fell from the core during the accident.

The videotape indicated a three-foot-deep bed of debris at the bottom of the steel vessel that contains the core.

Officials had determined earlier that the top five feet of the core had collapsed into a bed of rubble. The state of the lower portion of the core is still a mystery.

There was probably some dam-

age — not previously hypothesized — to the steel support structure at the bottom of the core that allowed the debris to fall to the bottom of the vessel, Standerfer said.

"For the material to have gotten down there, it must have gone through some damage in the structure," he said.

The discovery of the rubble means that there may be less debris than previously expected from the core deposited in the reactor cooling system outside the vessel, Standerfer said.

"This may make the removal of the material easier," he said.

Removal of the fuel, the centerpiece of the plant's \$1-billion cleanup, is scheduled to begin in July and last about one year.

The recent television pictures were taken with a small cylindrical camera that was lowered by a cable along the reactor vessel wall. The entire core is under water. More television inspections were undertaken yesterday and are planned for next week as well, Tomb said.

The discovery of large chunks of rubble means technicians will remove it with long-handled shovels and other tools, instead of an underwater vacuum cleaner. The changes will not add to the project's length or cost.

"We haven't seen anything we can't deal with," DeVine said.

TMI

NRC moves toward decision on restart, says no more hearings needed

—Page B1



Please See TMI Page A2

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The Patriot, Harrisburg, Pa., Friday, March 8, 1985

NRC rejects citizens' request to look at TMI effects

By MICK ROOD

WASHINGTON Bureau — The Nuclear Regulatory Commission and its official citizen advisers on the Three Mile Island Unit 2 cleanup found themselves at loggerheads again yesterday.

The Advisory Panel for the Decontamination of TMI Unit 2 wants to examine, at the request of many residents living near the damaged reactor, potential adverse health effects from radiation released during the March 28, 1979, nuclear accident in Londonderry Twp.

Holding three votes against the idea, NRC Chairman Nunzio Palladino said he would not reconsider voting formally on the matter until the NRC staff and the panel see if they can work up a specific proposal. The 12-member panel was chartered in October 1980 to advise the NRC on the safe decontamination of Unit 2.

"It would be an unmitigated disaster" if the NRC refuses to let the panel look into health effects, said panel member Joel Roth of Harrisburg. Palladino said he didn't want to "open up a whole hornets' nest" without thinking it over.

Palladino relied on a legal opinion from NRC General Counsel Herzel Plaine, who said technical staff members have concluded that accident health effects "lacks direct relevance" to the advisory panel's charter. Plaine said cleanup concerns include radiation exposure in the plant and, in case of releases, outside the plant. Unit 2 accident releases, which he said had been extensively studied, were "beyond the scope of the charter."

Palladino had the agreement of Commissioners Lando W. Zech and of Thomas Roberts, who was absent yesterday. Commissioners Frederick Bernthal and James As-

selstine said they were inclined to allow the panel to pursue health effects concerns of residents.

Palladino also asked the panel and NRC staff to see if an independent expert should somehow be brought in to examine the health effects question. Several panel members said the public would not trust reliance on the state Health Department for health effects advice because state epidemiologist, Dr. George Tokuhata, has already concluded in narrower studies that no excess adverse health effects resulted from the Unit 2 accident.

"We should be able to provide some method of allowing people to

be heard," Bernthal said.

Panel members also said there was no overall coordination of health studies that have been done or any forum where they are objectively examined.

"Which of these is right?" the public says of TMI health studies, according to panel member Joseph DiNunno. "There's a gap there, there's something missing."

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News Watch on the
Harrisburg Area

VOL. 5 NO. 3

MAR / APR. 1985

York Daily Record • Thursday, April 18, 1985

Restart vote by June, says NRC's chief

□ Tests completed Wednesday at unit 1 show leakage in the plant's steam generators is below federal standards. 4A.
□ TMI's former operator pays a \$100,000 NRC fine under protest. 4A.

From staff and wire reports

The chairman of the Nuclear Regulatory Commission said Wednesday he expects the agency to vote before June on whether to permit Three Mile Island's unit 1 reactor to restart.

Chairman Nunzio Palladino made the prediction following a briefing in Washington in which the NRC staff told the five commissioners that problems with deteriorated tubes in the reactor's steam generators should not, by themselves, preclude reopening the unit.

Palladino's prediction was not a surprise to opponents of restart.

"It's what we anticipated all along," said Kay Pickering, a spokeswoman for the Harrisburg-based anti-nuclear group Three Mile Island Alert.

"They have been going full-steam — to make a pun, a bad pun — toward that," she said.

During the briefing, Darrell Eisenhut of the NRC staff told the commissioners that defective tubes have been taken out of service by plugging.

"We see that there is no licensing problem with the steam generators," he said.

If the undamaged unit 1 reactor is permitted to reopen, it would take about 90 days to bring it to full operating capacity, "assuming things went well after the restart order," said Thomas Murley, administrator of the commission's Northeast regional office in King of Prussia, Pa.

A timetable released by the NRC staff said unit 1 would be physically capable next month of heatup leading to criticality — the point in which a chain reaction in the core is initiated.

Asked when a restart vote would be taken, Palladino said, "I'd expect it before June."

Unit 1 was closed for routine refueling at the time of the March 1979 accident that crippled the adjacent unit 2 reactor.

The NRC has been conducting hearings on the request of TMI's owner, General Public Utilities Corp., that the commission lift its orders keeping unit 1 idle.

Restart opponents have charged that the reactor should not be permitted to operate because, among other reasons, of alleged continuing problems with deteriorating tubes in the steam generators, which change water to steam.

After plant operator GPU Nuclear Corp. repaired or plugged some 31,000 tubes discovered cracked or corroded in 1981, it found another 328 defective tubes last November. Those have now also been plugged.

The company said corrosion probably developed in 1981 when sulfur accidentally leaked into the cooling system.

While opponents to the restart maintain that the cause is uncertain, the NRC staff said Wednesday that whatever was causing the tubes to corrode "is no longer active."

A letter to the commission this month from the Union of Concerned Scientists said risks posed by the tubes "are unique to TMI-1 and arise from the inability of the steam generators in their degraded condition to withstand the forces that may occur following a steam generator tube rupture accident."

4A York Daily Record • Thursday, April 18, 1985

Met-Ed pays \$100,000 fine, but under protest

By MICHAEL ARGENTO
Daily Record staff writer

Metropolitan Edison Co., the former operator of Three Mile Island, has paid a \$100,000 fine imposed by the Nuclear Regulatory Commission under protest.

When the company paid the fine late Tuesday, it asked the NRC to refund part of the fine, Met-Ed announced Wednesday.

The fine stems from a 1983 ruling by the NRC's Office of Inspection and Enforcement.

The NRC said a former TMI station manager and a supervisor had certified in 1979 that the supervisor met requirements to renew his license even though they knew he had used another person's work to complete qualification tests.

The former supervisor, James R. Floyd, was fined \$2,000 earlier this year and sentenced to two years' probation for cheating on licensing tests.

In July 1983, Met-Ed was ordered to pay the fine for making "material false statements" to the commission.

The NRC's investigation also revealed that some operators had cheated on company-administered quizzes. The NRC imposed a \$40,000 fine for that violation, which Met-Ed paid last August without protest.

Floyd J. Smith, the utility's president, said in a prepared statement that he was "unable to conclude that the specific violations alleged have been fully substantiated."

Met-Ed believed violations occurred but were not "willful," Smith said.

"We feel as a company that we did not willfully provide false information," Met-Ed spokesman Bruce McLean said. "It happened because of a lack of a formal certification program and administrative oversight."

McLean said the company was

responsible for having tighter control of the testing procedures for reactor operators. Since then, the NRC has instituted strict controls on the process.

"A formal certification program wasn't in place then," he said. "Now, one is in place."

Met-Ed was the operator of TMI in March 1979 when the accident occurred at the unit 2 reactor. The plant is now operated by another subsidiary of General Public Utilities Corp., GPU Nuclear Corp.

GPU Nuclear Corp., which became the licensed operator of the plant in January 1982, said corrective measures have been taken to avoid future violations of NRC regulations.

Those measures include changes in the training program for reactor operators and closer supervision of tests at the plant. The NRC has approved them and they are currently in effect.

C2—The Patriot, Harrisburg, Pa., Saturday, March 30, 1985 8

GPU changes plans on reactor tubes

GPU Nuclear Corp. yesterday told the Nuclear Regulatory Commission it will plug 226 steam-generator tubes containing small imperfections at its Three Mile Island Unit 1 reactor.

The corporation earlier had sought approval of modified criteria from the NRC to allow the tubes to remain unplugged.

"Our proposal for the [criteria] change is technically sound," said Philip R. Clark, president and chief executive officer of GPU Nuclear. "However, to separate the tube-plugging question from the restart of TMI-1 and to avoid further delay in final preparations for restart, we have decided to plug."

The plugging will take about two weeks and cost about \$700,000.

Doug Bedell, GPU Nuclear spokesman, said the corporation will continue to seek the criteria modification for use in the future.

Under the proposed criteria, GPU Nuclear would plug tubes with pits penetrating 70 percent of the way through the tubes and 0.2

inches long. Current NRC rules call for plugging tubes with pits of 40 percent or more, but which can extend up to the full, 2-inch circumference of the tube.

Clark said the current NRC criteria were established before new analytical techniques were discovered. The corporation proposed the criteria changes after examining the steam-generator tubes with specially developed electronic probes and using new analytical techniques in the field of fracture mechanics, Clark said.

"Although we are proceeding to plug the 226 tubes, GPU Nuclear intends to pursue the improved criteria with the intention of avoiding future unnecessary plugging of tubes, and thus maintaining the maximum steam generator efficiency without affecting safety."

The additional pluggings will raise to 1,535 the total number of tubes plugged at the Unit 1 reactor. Up to 3,000 of the 31,500 tubes may be plugged before the plant would be unable to run at full capacity, Bedell said.

The Patriot, Harrisburg, Pa., Tuesday, April 2, 1985

Advisory panel of TMI to meet

LANCASTER — The Advisory Panel for the Decontamination of Three Mile Island Unit 2 will meet at 7 p.m. April 11 in the Lancaster Council Chambers, 201 N. Duke St.

The meeting is open to the public.

Representatives from GPU Nuclear Corp., operator of the plant, will discuss distribution of fuel in the primary system, and the lifting of the reactor's plenum, which is set for May.

The Nuclear Regulatory Commission staff will provide a review of the potential for inadvertent "recriticality" — a nuclear chain reaction — during the defueling process, which begins in July.

The panel also will receive presentations from GPU Nuclear and the NRC staff on the occurrence and regulatory disposition of incidences of skin contamination to workers since the accident.

Let people decide

EDITOR:
TMI, TMI, who should be concerned? Of course you and I. Have you counted the cost, dear friends, already incurred? Have you thought of the future generation?

What is life? Have you counted the cost in health or monetary degree? Is it a real need, or is it greed? I'm thankful for electricity, but can't we find a better way to light up our city? A safer way?

TMI, TMI, who will take the waste? Neither you nor I, not below or in the sky. Earthquakes popping up everywhere, no one knows just when or where. Think of the future generation, not just on remuneration. Think, think!

Let us keep the "sweet land of liberty" with a vote from the people!

—Marguerite Wert,
Harrisburg

Three Mile Island 20 Tons of Fuel Melted Twice In Accident

Up to 20 tons of nuclear fuel reportedly melted and resolidified twice during the accident at Three Mile Island.

Scientists at the Idaho National Engineering Laboratory in Idaho Falls announced this week that some uranium-dioxide actually melted twice.

The report was the most dramatic account yet of how close the TMI Unit 2 reactor was to a meltdown during the 1979 accident, the worst in the history of U.S. commercial nuclear power.

A meltdown is a term used to describe a hypothetical sequence of events in which fuel inside a nuclear reactor would become molten and then burn its way out of the reactor building and into the ground, thus causing massive radioactive contamination.

—The Patriot, Harrisburg, Pa., Thursday, March 21, 1985

NRC drafting order on TMI restart

Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission has told its legal and policy staffs to draft an order on the restart of the Three Mile Island Unit 1 nuclear plant, but set no date to discuss the order.

In a brief "status report" on its TMI-1 deliberations issued yesterday, the NRC said "the public will be informed well in advance" of a restart discussion meeting.

No deadline for the staff draft order was set.

Wording of the report suggested that the NRC will not act on Unit 1 status prior to the sixth anniversary of the Unit 2 nuclear accident.

The proposed order will address whether the commission should lift an August 1979 shutdown order on TMI-1 in Londonderry Twp. that followed the March 28, 1979, accident at the sister TMI-2.

The commission's Office of General Counsel and Office of Policy Evaluation will base the proposed order in part on analyses of two issues on which an NRC licensing board has held hearings but issued no opinions. The issues are the adequacy of GPU Nuclear Corp.'s operator training program and the veracity of a 1979 report on reactor conditions during the Unit 2 accident.

The Patriot, Harrisburg, Pa., Wednesday

March 27, 1985

Not exploited

EDITOR:

I AM ONE of the "exploited" children who were used by the organizers of the "anti-nukes group." I would like you to know that, as a high school student, I am very much aware of the facts on Three Mile Island and I volunteered to wear the no-restart T-shirt. I wanted to express my feelings on the issue and I feel that everyone there felt that way, too. We were by no means "used" for visual effect. I wish everyone would get involved.

—Suzi Kinney,
Middletown

The Patriot, Harrisburg, Pa., Tuesday, April 2, 1985

Thornburgh will battle TMI restart

By Michael Sullivan
Patriot-News

Gov. Dick Thornburgh will make an 11th-hour appeal to block restart of the undamaged reactor at Three Mile Island when he appears before the Nuclear Regulatory Commission on May 22.

The NRC has scheduled a hearing on the proposed restart to gather final comments from the TMI operators, state officials and three anti-nuclear groups. The commission will vote in a second meeting on whether to restart the Unit 1 reactor on May 29. No public comment will be allowed at the second meeting.



Thornburgh

The governor is expected to tell the commissioners that the undamaged reactor should not be restarted until several more hearings are held on questionable safety issues.

His comments will include the NRC's "obligation to openly address and resolve, prior to restart, all issues relating to the health and safety of the people who live near Three Mile Island, and all issues relating to the integrity of their environment," according to a statement from the governor's office.

Attorneys for the state, at Thornburgh's direction, had petitioned the NRC to hold additional hearings. At its meeting Thursday, the NRC, in 3-2 vote, ruled that "no further hearings are warranted," thus refusing Pennsylvania's petition.

A similar petition from the state was filed with the U.S. 3rd Circuit Court of Appeals in Philadelphia on April 25 and is still pending.

Thornburgh appeared before the NRC once before, on Aug. 15, 1984, when he urged postponement of a reportedly "imminent" restart vote until several outstanding issues had been settled. That vote was delayed at the time.

Arguments at the May 22 session will condense into a few hours the five years of debate that has produced more than 30,000 pages of official NRC records. Presentations by intervenor groups will be

From Page A1

limited to about 10 or 15 minutes, according to Joanne Doroshow, attorney for Three Mile Island Alert, an anti-nuclear group.

Representatives from four recognized intervenors will speak at the May 22 meeting — GPU Nuclear Corp., plant operator; Three Mile Island Alert; Union of Concerned Scientists; and Norman and Marjorie Aamodt of Coatesville.

Besides Thornburgh, Rep. George W. Gekas, R-Harrisburg, whose district includes the Londonderry Twp. nuclear plant site, has said he also will ask to speak at the session.

Local groups, both for and against restart, have scheduled buses to take them to the NRC meetings in Washington.

Three Mile Island Alert has scheduled a news conference for Monday in the Dauphin County Courthouse. Local politicians and religious leaders opposed to the Unit 1 restart will speak. Among those scheduled to appear are Gekas and state Sen. John

Industrialists' restart plea miffs official

By FRANK LYNCH
Staff Writer

A request by state industry leaders that Three Mile Island's Unit 1 reactor be restarted has angered Dauphin County Commissioner Lawrence J. Hochendoner.

"As a public official I am angered that the public interest in the end may be subservient to profit," said Hochendoner, commenting yesterday on the request and the apparent likelihood of a vote on restart by the U.S. Nuclear Regulatory Commission.

With the backing of the Pennsylvania Chamber of Commerce, a group representing 40 state companies this week asked Gov. Dick Thornburgh to ease his opposition to restart.

Further delay in the restart of the plant could force some companies to close or to leave the state because of the high cost of replacement energy costs, the group claims.

"I'm concerned that we could lose some industries for Pennsylvania," state Chamber President Clifford Jones said last week. The industry representatives told Thornburgh aides that they spent millions of dollars more for energy

Commissioner

From Page A1

at the plant.

"Speaking in human terms, we have already spoken," he said, referring to a referendum three years ago in which county residents voted 2 to 1 against restart.

Thornburgh has held that Unit 1 should not be restarted until all safety issues are resolved. He recently asked the NRC to conduct more hearings before it takes a restart vote.

Meanwhile, Gordon Tomb, a spokesman for plant operator GPU Nuclear Corp., said the company has made efforts to generate inter-

Inside:
• NRC schedules briefing on Unit 1 generators — A2

than they would have if Unit 1 had been on line.

"The chamber's position is, of course, a reasonable one from their perspective," Hochendoner said at a noon news conference at the courthouse. "Unfortunately, it is my conviction their perspective is the wrong one."

Hochendoner, a Democrat and the minority commissioner, did not dispute that operation of Unit 1 would reduce the cost of electricity to companies across the state. "But TMI is here, and we, not they, will have to live with the dangers of TMI."

"Speaking in economic terms, as the chamber does, we in Dauphin County have a lot more to lose than industrialists around the state" if there is another accident

See COMMISSIONER—Page A2

est in restart of Unit 1, but that the utility was not involved in the industrialists' request for restart.

He added that restart would save GPU service area customers \$72 million the first year.

Industrial and residential customers of Metropolitan Edison Co., one of three partner utilities in GPU, would save on utility bills if the plant goes on line.

Met-Ed's Bruce McLean said returning Unit 1 to power would result in savings ranging from 1 percent for light industry to 4.2 percent for heavy industry companies. Residential bills would be decreased about 8.5 percent, he said.

TMI insurance

EDITOR:

I SEE in The Patriot that a number of businesses have now come forward all in favor of a TMI #1 restart. I would assume we are all to believe that suddenly the management of GPU is bursting with new found integrity, honesty, intelligence and reliability; that the NRC now has their act together and overnight have become the technical experts we supposedly can expect to protect our safety and well being. Too, the reactor operators themselves are finally honestly qualified. But one question remains. If this nightmare called a power plant is so totally safe then why can't we buy low-cost nuclear disaster insurance backed by the federal government? After all, such insurance is available to protect losses from floods. There should be little risk for Washington, after all, their NRC says the plant is safe. Surely they can believe their own experts.

I personally would feel safer if the general corporate offices of the parent company of GPU were not safely in New Jersey but located on Three Mile Island. I would also expect all officers and executives of that company to be required to locate their families within five miles of the island and thus to share our risks to life and property. Maybe the profits would take a back seat to safety. And maybe safety would become more than another word in the dictionary for GPU.

—Charles W. Schoell,
Harrisburg

NRC rips restart proposal

By MICK ROOD
Washington Bureau
WASHINGTON — Doubts about the safety of steam generators at Three Mile Island Unit 1 caused Nuclear Regulatory Commission members to ask dozens of questions yesterday that conceivably could force the owners of the utility to produce a new accident analysis before Unit 1 restart is decided.

Two commissioners most critical of GPU Nuclear Corp.'s restart plans — James Asselstine and Frederick Bernthal — were joined by Chairman Nunzio Palladino. The chairman has been pushing for a restart vote, which he said Wednesday was "expected" next month.

It was unclear how long such an accident analysis would take, or whether it will be required of GPU Nuclear. It could force the NRC to delay a restart decision past May, when the NRC technical staff has said the TMI Unit 1 plant in Londonderry Twp. would be physically ready.

The need for a safety report on potential accidents involving steam generator tube failures was raised by the Union of Concerned Scientists, an intervenor in the Unit 1 restart proceeding.

All of Unit 1's 31,000 generator tubes were repaired for chemical corrosion in 1982-83. Nuclear engineer Robert Pollard of the Union of Concerned Scientists said the weakened tubes would be unable to withstand the stress forced by a rapid cooldown of the reactor in a postulated accident. Under various scenarios, he predicted off-site releases were likely in the event of such accident where tubes in one or both of the generators ruptured.

Pollard also charged that GPU Nuclear was degrading plant procedures for handling generator-related accidents. If GPU Nuclear's claim that it has brought the generators back to their original condition was correct, lawyer Ellyn Weiss of the Union of Concerned Scientists asked, "Why is GPU Nuclear asking to violate all these safety conditions?"

GPU President Philip R. Clark countered strongly that the revised procedures were "better," allowing operators more flexibility in handling potential accidents.

"They are not, let me repeat, are not the result of any special consideration for our steam generators," Clark said. "They do not violate applicable safety limits and they enhance our ability to protect public health and safety."

The Unit 1 steam generators, he concluded, are "suitable for operation in every respect."

While Pollard said no other Babcock & Wilcox-designed plants had altered accident procedures this way, Clark predicted that most of them would eventually.

Given that, Palladino insisted that GPU Nuclear provide some idea how long it would take to produce a safety analysis on postulated generator accidents of the kind that has not been done at TMI since the early 1970s but has been required at newer nuclear plants. GPU spokeswoman Lisa Robinson said the company probably would respond within several days.

"I'm left trying to balance it," Palladino said.

"I'm trying to get to your underlying motivation," added Commissioner Bernthal.

The meeting ended with that standoff, although Pollard rushed over to the press table after the meeting. He challenged Clark's assertion that GPU Nuclear had not proposed to change its accident procedures because of generator tube weaknesses the company contends have been adequately repaired.

The NRC has not scheduled further meetings on the steam generator question or on the restart of TMI Unit 1.

—The Evening News,

Harrisburg, Pa., Thursday, May 9, 1985

TMI restart decision day is May 29

By Mick Rood
Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission will vote May 29 on lifting its August 1979 order closing the undamaged Unit 1 nuclear reactor at Three Mile Island.

NRC commissioners have speculated on when a vote would be taken several times since 1981, but

the May 29 date set in an order issued yesterday is the first specific one.

Even if the NRC votes, as expected, to lift the 1979 order, plant operator GPU Nuclear Corp. will not begin warming up the plant for full-scale operation unless the NRC staff has declared the plant physically ready.

But the May 29 vote here is considered by most veteran NRC observers as tantamount to a restart decision. Prior to the long-anticipated NRC action, the commission on May 22 will hear oral arguments reducing six years of restart controversy into a few hours. Both meetings, starting at 2 p.m., will be open to the public.

Arguments will be limited at the May 22 session to short presentations by intervenor groups which have been participating in the Unit 1 restart case. They are: GPU Nuclear, the NRC staff, the commonwealth, Union of Concerned Scientists, Three Mile Island Alert and Norman and Marjorie Aamodt of Coatesville.

The commission also — as it has in the past — may agree to hear area congressmen if they ask to speak. Rep. George W. Gekas, R-Harrisburg, whose district includes the Londonderry Twp. plant, said he intends to ask for speaking time May 22.

The commission "will not entertain any requests to speak" at the May 29 voting session, it said yesterday.

(Coincidentally, an NRC appeals board yesterday ruled against a motion by Three Mile Island Alert to overturn an NRC licensing board's decision that Unit 1 steam generator tube repairs were safe. TMIA had contended that recently discovered defects in the generators had not been properly considered.)

TMI Unit 1 was down for refueling when the accident on March 28, 1979, damaged its companion reactor, Unit 2. By August of that year, the NRC had outlined in an indefinite shutdown order more than 100 equipment and staff improvements that GPU Nuclear had to make at Unit 1.

Gov. Dick Thornburgh and anti-nuclear intervenor groups have contended the NRC is about to act on the restart issue without holding adjudicatory hearings on several outstanding safety matters. The governor and the intervenors have asked the NRC to re-

NRC Unit OKs TMI's Training Of Operators

By Leslie R. Klein
Intelligencer Journal Staff

A Nuclear Regulatory Commission board Thursday approved Three Mile Island's operator training program, one of several issues that have blocked restart of the plant's Unit 1 reactor.

The Atomic Safety and Licensing Board said in a nine-page opinion that GPU Nuclear Corp. runs a "fundamentally sound" training program.

The board cautioned that some evidence must still be studied and at least one program "deficiency" will likely be noted by the board when it issues a more formal report on the training issue in the next two weeks.

But it concluded that the pro-

gram has "no defects that cannot be timely remedied."

Meanwhile, GPU Nuclear officials told a citizens' panel meeting in Lancaster Thursday night that defueling of the damaged Unit 2 reactor may be delayed one or two months.

The NRC's citizens' advisory panel on the TMI cleanup, chaired by Lancaster Mayor Arthur E. Morris, also learned that the containment building will be vented during removal of the plenum from the reactor vessel, planned for the last two weeks of May.

Operator training became a key issue before the NRC after allegations that Unit 1 operators cheated on licensing exams in 1981.

After an investigation in 1982, the licensing board concluded that plant management "failed to safeguard the integrity of its examination process."

James Floyd, former TMI operations supervisor, was convicted earlier this year of cheating on a licensing test.

In the opinion released Thursday, the licensing board said GPU Nuclear "has made an appropriate management response to the cheating incidents."

Restart opponents have argued the training program is inadequate and contend management integrity is still a major consideration in whether the NRC should keep Unit 1 closed.

The licensing board did report "that there is a very substantial possibility that we may find the TMI-1 training program inadequate because of the lack of formal job-performance evaluations."

GPU Nuclear does not use periodic formal evaluations of on-the-job performance to revise its training program. The NRC staff has argued those evaluations should be required.

The licensing board said the company uses performance in such things as simulator exercises, drills and "on-the-job check-outs" to judge the success of its training.

But the deficiency can be eliminated by requiring GPU Nuclear to use job performance evaluations in studying its training program. The company has "implied that it could accept such a condition," the board wrote.

It added that evaluation of job performance is "almost by its very nature a function best performed after restart."

TMI nightmares

EDITOR:

THIS is the first letter I have ever written on this subject, but I feel that the time has come to make my feelings known.

I had another dream last night — no, not a dream, but a nightmare! I still occasionally have these dreams, and they are almost always the same. TMI! In these dreams, we are trying to gather all of our family together from scattered places, hurriedly trying to pack our suitcases and make a hasty retreat after a TMI accident. Only this time the dream was much worse. In my dream, the authorities were trying to distribute potassium iodide pills to the citizens of this area, but there weren't enough pills to go around. My family and I were together, but we just couldn't seem to get our suitcases packed fast enough, and we couldn't find the keepsakes we wanted to take with us in case we could never return to our home. When I awoke I just couldn't get this dream out of my mind. It was so vivid.

I am not a person given to hysteria. I am a mature, responsible adult who feels that our elected officials must prevent the restart of TMI's Unit 1. The people of this area have made it known by mandate that this is their wish.

I know this will be disputed by the pro-nuclear people and the friends of TMI. But as far as I am concerned, the credibility of the owners and operators of TMI is non-existent. I and a host of other people couldn't believe them even if they said that the sky is blue and grass is green. TMI's effects on the health of many of our citizens will continue to be swept under the carpet by some health officials.

If we had known how close to a meltdown TMI was six years ago, I shudder to think of the panic that would have arisen. When we left our home for another area during that fateful weekend following the accident, we didn't know whether we would ever be able to return to our home again, and I didn't know whether I would ever again see my sister or brothers and other loved ones.

If TMI is allowed to restart Unit 1, the people in this area will have been betrayed! To our elected officials: Please, please do not allow the restart of Unit 1! Let the clean-up of Unit 2 continue to its completion and then cover everything over with concrete, letting it stand as a memorial to all that has happened and to what could happen again. It's too late for us who have been exposed to TMI since it began operation, but for the sake of generations to come, please don't make the mistake of giving them a chance to again prove their incompetency and to subject the citizens of this area to another near disaster. The next time the disaster could be complete!

—Marie DeFrank,
Steelton

consider, and have petitioned the 3rd Circuit U.S. Court of Appeals to order more hearings.

But in a pivotal order Feb. 25, the NRC decreed no more hearings were "warranted." A 3-2 commis-

GPU says '79 emissions too small to bring harm

By MARY WARNER
Staff Writer

General Public Utilities Corp., responding to recent lawsuits stemming from the March 28, 1979, accident at Three Mile Island, says the radiation emitted that day was too small to harm anyone.

GPU attorneys made the statement in their answer to Dauphin County Court suits filed March 22 by 43 people, who blamed the accident for cancer, birth defects, heart ailments and other disorders.

Since then, the number of people filing similar suits has topped 200.

The suits say the plaintiffs were emotionally distressed and were exposed to radiation during the accident at GPU's nuclear plant in Londonderry Twp. and the following cleanup.

But GPU's answer says any injury they suffered was "the result of natural forces or the conduct of other persons or entities" unknown to GPU and beyond its control.

"Emissions of radioactive gases from the TMI facility ... were not of such quantity or quali-

ty to have caused injuries or death to any persons," the answer says.

Government officials who studied data on releases during the accident said the largest dose anyone got was no higher than the normal variation in natural background radiation.

But some TMI critics have questioned the monitoring during the early hours of the accident. And the TMI Public Health Fund is financing a study of claims of high cancer rates in areas that were downwind from the plant that morning.

The recent flurry of lawsuits apparently was triggered in part by news in February that GPU's insurance companies had agreed to pay millions of dollars in settling some of the injury claims filed shortly after the accident.

The companies said they wanted to avoid the expense of trials and were not admitting liability.

GPU's answer to the recent suits says they are barred by the statute of limitations, which says generally that personal injury claims must be filed within two years after the plaintiff detected the injury.

Involving 4 Workers

TMI 'Poor Judgment' Won't Be Cited

The operator of Three Mile Island used "poor judgment" but will not be served with a violation notice for a December incident in which four workers inside TMI's Unit 1 reactor ingested a small amount of radioactive particles, the federal Nuclear Regulatory Commission has decided.

NRC radiation safety and safeguards director Thomas T. Martin wrote GPU Nuclear that "As was alleged (by workers) the findings of this inspection indicate poor judgement on the part of the licensee in evaluating the radiological hazards associated with the steam generator eddy current probe removal task."

Sunday Patriot-News, Harrisburg, Pa., May 29, 1985 — A9

TMI: Six years later Cleanup is costing more than plant's construction

By FRANK LYNCH
Staff Writer

By the time workers finish cleaning up after the accident at Three Mile Island Unit 2, GPU Nuclear Corp. will have spent \$1 billion.

That's about \$300 million more than it cost to build the plant, which went into commercial operation in December 1978.

Costs are so high, officials say, because technicians have never before faced a reactor in quite the same situation that Unit 2 is in. Tools and equipment used in cleanup need to be engineered and made from scratch. Many cleanup procedures are pioneering endeavors.

"The uniqueness of the situations makes it so expensive," said TMI spokesman Gordon Tomb. "In a lot of areas we are adapting new techniques. There is kind of an experimental nature to some of the stuff we're designing."

For instance, GPU Nuclear reported this month that 250 canisters are being assembled to collect and temporarily store damaged fuel from the reactor when defueling begins this summer.

Three types of the stainless steel canisters will be delivered to the island beginning this spring.

Two are designed for use in vacuuming small debris from the

reactor coolant system. One will collect gravel-sized material, and the other will gather particles smaller than 100 microns. (A micron is one-millionth of a meter.) A third type of canister will be used for removing large pieces of debris and will be loaded with long-handled, specially designed tools.

The price tag for the 250 drums is \$4.3 million, or about \$17,200 each.

All but \$38 million of the cleanup budget is in place, and Tomb said officials are confident the shortfall — which represents 4 percent of the \$987 million cleanup tab — will be secured. "While it's not an insubstantial amount, it [the \$38 million] is not considered that serious," Tomb said.

Currently, the company is installing fuel-transfer mechanisms that will transport the specially designed fuel containers from the reactor area to one of two of Unit 2's spent fuel pools.

Also, work is continuing on identifying possible locations in the reactor system where fuel debris may have accumulated outside the reactor vessel.

The next milestone in the cleanup process is the removal of the plenum — the supporting structure that guides the fuel rods into the reactor — scheduled for May. That will clear the way for

workers to begin taking fuel and debris from the reactor vessel and sealing it in the specially designed canisters.

Those canisters later will be loaded into specially designed shipping casks supplied by the U.S. Department of Energy. Next spring, the casks will be hauled to the Idaho National Engineering Laboratory for research.

The cleanup funding, as outlined in 1980 by Gov. Dick Thornburgh, relies on a patchwork of contributors. They are:

- ✓ GPU customers, \$246 million.
- ✓ U.S. nuclear power companies, through the Edison Electric Institute, \$153 million.
- ✓ U.S. Department of Energy, \$83 million.
- ✓ GPU corporate funds, \$82 million.
- ✓ Pennsylvania taxpayers, \$30 million.
- ✓ Proceeds of an out-of-court settlement resulting from a lawsuit GPU filed against Babcock and Wilcox Co., the designer of the plant, \$21 million.
- ✓ Japanese utility companies, \$18 million.
- ✓ New Jersey taxpayers, \$11 million.
- ✓ Insurance proceeds, which already have been spent, \$305 million.

TMI: Six years later

\$110 million in loss claims remain to be paid

By PETER KELLEY
Staff Writer

Even people who believe they were not injured by the 1979 accident at Three Mile Island have successfully sued the plant's owners and engineers for economic losses.

But six years later, \$110 million of their claims for lowered property values or lost business remain unpaid.

One anti-TMI activist, Kay Pickering of Harrisburg, has waited since August 1981 for \$40.61 that she claimed in accident-related expenses.

THE U.S. Middle District Court in Harrisburg recently reduced even that award, dismissing bills for her long-distance phone calls to relatives and leaving only what she paid a neighbor to take care of her cat while she left town — \$5.

Pickering still has not received the \$5. Meanwhile, 76 attorneys who mounted a spate of lawsuits after the accident collected more than \$2 million in fees on a single date in December 1982.

"It's just a big game between big business and these attorneys and accountants, and the little people are going to lose out all the way around," is Pickering's prediction.

ALFRED WILCOX, a Philadelphia attorney who represents the plant's insurance companies, takes a different view.

"Priorities had to be established," Wilcox said. "Everyone's claims are settled. The question is how many will be allowed."

Millions in claims — and cases — all stem from a lawsuit filed weeks of the accident, by dozens of residents of businesses.

the terms of the suit,

anyone within 25 miles of TMI who fled the area, lost business or could prove that the plant's notoriety had hurt property values could put in an insurance claim.

THE SUIT officially ended in September 1981, when the court approved a settlement proposed six months before.

The insurance pools that Wilcox represents — American Nuclear Insurers and Mutual Atomic Energy Liability Underwriters — agreed to set up a \$20 million settlement fund (with another \$5 million earmarked for "public health" projects and research).

Final word on payments from both funds was given to Judge Sylvia Rambo, in whose court the suit was heard.

Eventually, in February 1983, Rambo directed the fund to settle nearly 11,000 claims for transportation and lost wages. Checks totaling \$2.35 million went out. "The first priority was for evacuation expenses," Wilcox recalled.

BY FAR the largest claims, however, and the most thorny to settle, were the remaining 3,400 for lost property value, business or corporate good will. And while the settlement fund has steadily accumulated interest, there still is not enough money to go around.

"My impression is that there is something on the order of \$15 million remaining, but more than \$100 million in claims," Wilcox said. Pickering's comment: "People will get a percentage, is what's going on now."

Apart from the years of frustration in following her own tiny claim, what irks Pickering and others she has talked to about the TMI settlement is that millions of dollars from the fund already have gone to pay attorneys and a Philadelphia accounting firm.

A REVIEW of fund records at the Federal Building in Harrisburg shows that the accountant, Heffler and Co. of 3 Penn Center Plaza, has been paid on a monthly basis ever since March 1982 to manage the fund.

The firm's total take in three years: more than \$385,000 (the amount of one bill paid is not recorded).

Meanwhile, the lead attorney for all those who joined the class action, David Berger of Philadelphia, collected \$1,389,006 as a fee on Dec. 9, 1982 — billing at rates of \$250 and \$260 an hour. His family firm got another \$176,056 for expenses and an additional \$20,112 for preparing time reports.

Other attorneys collected on that date, too, for a grand total of just over \$2.5 million including expenses. Their bills were whittled down, at Rambo's insistence, from an original \$4 million.

THE NEXT day, the judge got a letter from Sherly J. Togans Jr. of Oberlin. Togans wrote objecting to "any partial settlement" for his own bills, the court docket duly notes, and adjusted them to \$101.19 for lodging and \$95.12 for meals that he bought when he fled his hometown at the time of the accident.

Representing such clients and running the \$5 million "public health" portion of the fund has continued to be profitable for Berger's firm. The docket shows he was paid another \$182,000 in May 1983, \$111,000 in February 1984, and \$157,500 in September 1984.

In addition, Berger has been authorized to spend large sums on consultants — most recently, \$60,000 for the five-month period that ends next week.

Asked why, four years after its creation, the public health fund still holds an estimated \$5 million, Berger told the Sunday Patriot-News: "I have no intention of being bullied, bulldozed or shoved into any quick decisions."

HE PROMISED that by a deadline next year that Rambo set, "virtually all the money will have been spent" on research with

"worldwide significance."

The docket also shows that on April 15, 1981, Rambo ordered all funding requests sealed to the public until further notice — along with future orders containing her decisions.

Thus, not even Pickering — who says people call her Three Mile Island Alert office from all over the country with questions about their long-outstanding claims — can say which local businesses have filed the largest damage claims.

"By December of 1983 they [fund administrators] were supposed to have all these claims paid," she said.

"Meanwhile, they make lots of money off of all of us folks who think we're going to get a check in the mail sometime, one of these years."

The Patriot, Harrisburg, Pa., Friday, March 22, 1985

the FORUM PUC member signs off

EDITOR:

AFTER 9½ YEARS of continuous service as a PUC commissioner, my term, at last, will end March 31, 1985. Unless a successor can be nominated by the governor, examined by the Senate Committee and confirmed by a ⅔ vote of the total State Senate, within days of my departure, the seat will remain vacant for weeks, months and possibly more than a year. That, however, will not be my problem.

The 9½ years have been painful for me — if not for other as well. I learned quickly that ratepayers could be, and were being abused, exploited and, I believe, ripped off by a system that is concerned only with how better the utilities can be treated.

I have voted against rate increases almost consistently — not because I wanted to be "the dissenter," but because I firmly believed that voting "yes" in those instances would have constituted a violation of my oath of office and of the law which governs regulation of investor-owned utilities.

I have filed many dissents. Recently, in a case patiently at odds with the law, I wrote an "Amicus Curiae" brief in support of those parties who had appealed a commission decision to the Commonwealth Court. This was the first time a commissioner had ever done so.

Why did I dissent so frequently? Not because I sought publicity and not because I coveted higher office. I did so because I believed that following the law and precedent faithfully was in the best interest of the public and that I was obliged to

defend the law.

My leaving the commission (not by choice — but by law) seems to have become a well-guarded secret in the media, with press, radio and TV ignoring it, as if it were a non-event.

Perhaps it is not newsworthy — perhaps the ratepayers do not want to be informed. It matters little at this point.

If you (the readers) had been of help to me during the years as I tried to be of help to you, I am grateful to you.

If it mattered not one bit to you how much more the ratepayers had to pay for utility service, that alone could be the reason why the rates have risen so wildly.

In any event, I'll pack my things and start for home. Being a commissioner has been a lonely experience — a lonesome journey. My best wishes to my successor and to all ratepayers.

—Michael Johnson,
Harrisburg

TMI protest

EDITOR:

THIS IS in response to James B. Bogar's letter of March 11, criticizing "fearmongers" who "use" children in their front lines to grab headlines, as in the most recent gate march at TMI.

We marchers are not fear-mongers, but we are afraid. A major accident at a nuclear facility — the thing we were promised was next to impossible — has become for us a daily reality.

Yes, we grab headlines, and we grab headlines for the children. Their safety and their right to live in a clean world, not profit margins or dividends, have always been our first concern.

—Cese Viti,
Mechanicsburg

A10—Sunday Patriot-News, Harrisburg, Pa., March 24, 1985

10 years of championing 'the little guy' end Consumers lose ally

By GEORGE WEIGEL
Staff Writer

He's been called practically everything from a "living legend" and a "champion of the little guy" to names that are better left unsaid.

"Blunt" is the word that keeps coming up when people describe him.

Never one to hedge on his beliefs, he's the type of guy who will scrap with someone one moment and then turn around and bear-hug him the next.

HIS OUTSPOKEN, pull-no-punches nature has miffed many, but friends and foes alike respect him and need never doubt his honesty.

There's one point, however, on which most everyone would agree. When Michael Johnson steps down from the state Public Utility Commission at the end of this week, Pennsylvania consumers will be losing their foremost ally in the fight against higher utility rates.

Here's a guy who has repeatedly charged utilities with gouging consumers — but found himself helplessly on the short end of numerous 4-1 votes in opposing rate increases.

HE USES words such as "rip-off," "exploit" and even "rape" to describe what utility companies are doing to ratepayers.

Once, he even threatened to sue his fellow commissioners after Philadelphia Electric Co. was granted a \$221.7 million rate increase.

Those kinds of words and actions haven't exactly endeared him — at least publicly — to his colleagues and those in the utility industry.

But being the type who fights to the end for whatever he believes is right, Johnson has kept right on criticizing and voting no.

AS HE approaches the end of his 10-year term, the 72-year-old Johnson describes his tenure on the PUC as a "lonesome journey."

His biggest regret is not being able to have done more for the consumer.

"Justice for the little people," he says. "I never was able to accomplish that. I still don't think residential ratepayers, particularly senior citizens, are being treated justly."

Obviously, he places much of the blame on profit-minded utility companies. But he also blames the system for letting it happen — in-

cluding the PUC bureaucracy, his fellow commissioners and the media.

FOR EXAMPLE, he says the law that places the "full burden of proof" on utilities to justify their rate increases is loosely followed, if at all.

"This commission's standard of what is a full burden of proof is appalling," he says.

And he's peeved that the commission regularly approves higher rate increases than that recommended by the PUC's own trial staff, whose job is to represent the public's interest in rate cases.

mandated that Smith step down after he wrote a federal judge to plead leniency for James Floyd.

Floyd, a former TMI supervisor, had been found guilty of cheating on an NRC operator licensing test and was awaiting sentencing when Smith wrote his letter to U.S. Middle District Judge Sylvia H. Rambo on Dec. 27. Floyd eventually was given a suspended sentence.

Attorneys for the NRC's technical staff agreed that Smith had shown the appearance of bias.

But the commission said yesterday that Smith had not violated provisions of the Judicial Code of Ethics. The judge had not exerted undue influence on a trial and had not officially testified for Floyd.

As to a judicial code provision directing judges to abstain from "public comment about a pending or impending proceeding in any court," the commission said it didn't apply. Smith was imparting specific information to another court, not making "general public comment."

Intervenor also had objected to Smith's sympathetic comments about utility employees caught up in TMI investigations. Even Commissioner James Asseltine, who disagreed with the way the NRC reached its vindication of Smith, said, "I cannot fault Judge Smith for being protective of due process rights."

Attorneys for Three Mile Island Alert Inc. had objected to Smith's treatment of them and their witnesses during Unit 1 proceedings.

"The right to an impartial adjudicator does not mean that favorable rulings must be divided equally between the parties, or that a judge may not occasionally use strong language toward a party or in expressing his views on matters before him," the commission said.

Although he agreed with the outcome, Asseltine said in separate views that Smith had violated the spirit, if not the letter, of the judicial code by writing the letter to Rambo. Asseltine called it "poor judgment."

Commission 'convinced' Smith is impartial

NRC lists reasons for exonerating judge

By MICK ROOD
Washington Bureau

"Convinced" that Administrative Law Judge Ivan W. Smith is impartial, the Nuclear Regulatory Commission yesterday listed its reasons for not disqualifying him from presiding over the Three Mile Island Unit 1 restart case.

In a closed meeting March 26, the NRC voted 5-0 not to disqualify Smith but gave no justification for the decision at that time.

Attorneys for intervenors in the TMI Unit 1 case, including the state of Pennsylvania, had de-

Pennsylvania State University, Westinghouse, Gilbert Associates, Conam Inspection Services, NUS Corp., NWT Corp., Impell Corp., and Foster Wheeler to provide data and to test materials and assess elements of the overall program.

As the culmination of such appraisals, an NRC Atomic Safety and Licensing Board conducted public hearings and last October approved the steam generator repair process. Ms. Doroshow's organization, Three Mile Island Alert, sought those hearings, but provided no expert witness in support of its contentions.

It is easy to state in a letter that facts are thus and so. It is another matter to have the facts tested in cross-examination before an official hearing board. GPU Nuclear submitted its case in that manner; TMI Alert did not. The licensing board heard TMI Alert's arguments and rejected them.

As TMI Alert's attorney, Ms. Doroshow continues to press in the media a case her group lost before the licensing board. She continually misrepresents the nature of the steam generator work, then objects when GPU Nuclear seeks to set the record straight.

Tactically, Ms. Doroshow may feel her unending stream of charges serves TMI Alert's purposes in seeking to block the restart of TMI-1. Factually, however, the public needs to know what she is really doing.

—Lisa G. Robinson, Middletown

The writer is media representative of GPU Nuclear Corp.

the FORUM

GPU safety claims flawed

EDITOR:

IN THE MARCH 17 "Washington Watch" column, GPU spokesperson Lisa Robinson accused me of making "scurrilous comments," of "fear mongering" and of "frightening the public" regarding my reaction to GPU's unprecedented request to allow certain damaged steam generator tubes to remain in service at TMI-1. I find such name calling deserving of little response. However, for the record, I believe certain facts should be stated.

When the TMI accident jolted this community six years ago, little did anyone know the full extent of misconduct in which GPU and its subsidiaries were involved, and in which they would be later implicated. But involvement in intentional, sometimes criminal wrongdoing, is not the only reason GPU should not be trusted to operate TMI-1.

The company is incompetent. In late 1981, GPU Nuclear "accidentally" contaminated Unit 1's steam generators by allowing a sulfur compound into the system. This sulfur compound caused extensive crack-

ing of the steam generator's tubes. In testimony before Congress, the NRC staff called TMI-1's steam generator damage the worst in the entire country.

Steam generator tubes, it should be noted, are among the most sensitive structures in a nuclear reactor. Each one of these 31,000 long, skinny (.034 of an inch thick) tubes acts to isolate from the outside environment the radioactive water which circulates around the reactor's highly radioactive core. If just one of those tubes ruptured, that containment is breached, and radioactive water and steam would likely be released directly into the environment.

Since 1981, the company has been trying to convince the public that all 31,000 tubes which were originally cracked have been fixed and are good as new. Common sense dictates that this can not be true. The facts support this as well. In the view of our technical experts, the risks to which the company and the NRC propose to subject this community by allowing operation with these band-aid repaired steam generators are enormous.

Now the company has requested an unprecedented relaxation in its requirement to plug and remove from service deteriorated tubes. Right now, GPU is trying to avoid plugging over 200 tubes which were recently shown to be further damaged. The company has already plugged 1,009 tubes in one of its generators. It may not operate

under current conditions with more than 2,250 plugged tubes in that generator. According to NRC inspector Richard Conte, "The NRC's safety concern is that with the additional blocking of tubes, you're going to lessen the reactor coolant system flow of water in the reactor."

What necessitated this request for change? Is GPU afraid they are approaching their plugging limit? It appears so. Is the company trying to avoid paying the \$800,000 to \$1 million they say it will cost just to plug these 200 tubes? Possibly.

In any event, one thing is clear. GPU's financial needs have blinded it to the health and safety risks to which it has subjected the TMI community. And it has been my experience that they give false and misleading statements on a regular basis.

If GPU's public relations representatives are so rattled by criticism that they feel it necessary to engage in name calling with individuals who know more about the facts of this case than they do, then that is sad. If they think it's going to intimidate anyone from speaking out against what is clearly an unsafe plant and incompetent management, forget it.

—Joanne Doroshow, Harrisburg

The writer is an attorney for Three Mile Island Alert.

Letters to the editor, which must include a telephone number and address for verification, are welcomed from readers of Patriot-News publications. Address: P.O. Box 2265, Harrisburg, Pa. 17105.

the FORUM

TMI repair plan is sound

EDITOR:

ONCE AGAIN, in her letter in last Sunday's Patriot-News, Joanne Doroshow made reckless claims about the steam generator repair program at Three Mile Island Unit 1.

In her letter, Ms. Doroshow said, "In the view of our technical experts, the risks to which the company and the NRC propose to subject this community by allowing operation with these band-aid repaired steam generators are enormous."

A few points need to be made about that assertion. The steam generator repair and testing program is a \$50 million project, hardly a "band-aid." From the start, GPU Nuclear and the Nuclear Regulatory Commission's staff involved third-party review groups in assessing the safety of the steam generator program — all to insure that it represents no risk to the public.

GPU Nuclear's third-party group included experts from the Argonne National Laboratory, Lehigh University, MPR Associates, Babcock & Wilcox and the Electric Power Research Institute's Non-Destructive Evaluation Center. The NRC outside review group included experts from the Brookhaven and Oak Ridge national laboratories and the Franklin Research Corporation.

In addition, GPU Nuclear called on other organizations, including the Battelle Columbus Laboratories, Oak Ridge National Laboratory, the Massachusetts Institute of Technology,

just their logic that stinks so.

The Patriot, Harrisburg, Pa., Friday, April 5, 1985

TMI critics

EDITOR:

IT IS DIFFICULT to know how to respond to the letter by Evelyn Daniel that appeared on March 28 and the editorial, "TMI Plus 6," that ran the same day. Both the letter and the editorial reflect fervently held views that originated six years ago during the period of the accident at TMI-2.

We respect the concerns expressed in the letter and the editorial. Everything we have done at Three Mile Island during these six years has alleviated such concerns.

Yet Ms. Daniel writes that our only concern is "making a buck," and the editorial asserts that "absolutely nothing has been done" to meet the public's expectations of TMI.

These are incredible statements. A great volume of findings from Nuclear Regulatory Commission licensing and appeal boards and inspections of TMI-1 by the NRC staff, the Institute of Nuclear Power Operations and Admiral Hyman G. Rickover testify that the lessons of the Unit 2 accident have been fully applied at Unit 1 and that the plant will be operated safely.

It's difficult for members of the public to grasp the new reality of operations at Three Mile Island today, when they continue to be bombarded with timeworn perceptions that are no longer true. Today, there are more than 1,200 highly skilled, highly motivated people operating TMI in the manner that Ms. Daniel, The Patriot-News and the public say they expect of us.

TMI-1 will only be operated safely and properly.

—Douglas H. Bedell, Middletown

The writer is manager of communications services for GPU Nuclear Corp.

TMI critics qualified

EDITOR:

GPUN's RECENT two-page ad was a very expensive attempt to further misinform area residents about the health hazards of their mismanaged clean-up of Unit 2. The ad, which was a response to a series of articles appearing in the Philadelphia Inquirer, alleged that "Inquirer experts have little credibility."

To support that claim they cite the opinion of a judge who heard the testimony of Drs. John Gofman and Karl Morgan. Since, apart from that judge's opinion, GPUN offers no evidence which taints the credibility of these two men, I think their credentials should be noted.

John Gofman holds a Ph.D. in nuclear chemistry as well as an M.D. degree, and is the former associate director of the U.S. government's Livermore Laboratories. Gofman discovered two isotopes of plutonium which make the chemistry of commercial nuclear fission possible. He isolated the first plutonium for the Manhattan Project during World War II. Gofman's medical research has resulted in him being awarded several lectureships, the Stouffer Prize for outstanding medical research and his selection by the American College of Cardiology as one of the leading cardiology researchers of the last quarter century.

Karl Morgan is the former director of the Health Physics Division of the Oak Ridge National Laboratory and is popularly regarded as the "father of health physics." He currently sits on the Safety Advisory Panel for PP&L's Berwick nuclear plant and the Advisory Panel for the TMI Public Health Fund.

I challenge GPUN to place the credentials of any of their employees beside those of these distinguished scientists.

It appears that we should add character assassination to GPUN's list of crimes. It is GPUN, and not these two noted scientists, who possess little credibility.

—Vera L. Stuchinski, Harrisburg

People still seek answers; get nukespeak

THE PERSPECTIVE of six years has not diminished the significance nor the impact of the accident at Three Mile Island. This is true despite the considerable efforts of the nuclear industry to downplay it. For industry, TMI was an event that killed no one and served to validate the technology's safety systems.

The industry's assertions about the relatively benign nature of the nation's worst accident at a commercial nuclear plant may be true, except that there are some curious actions suggesting otherwise. Recently TMI's insurers failed to contest in court nearly \$4 million in personal injury claims stemming from the accident. Involved were 73 individuals, mostly children but including four adults who subsequently died.

Meanwhile, TMI-owner General Public Utilities, at the instigation of the Nuclear Regulatory Commission, has spent \$100 million to modify Unit 1. This has been done despite the fact that Unit 1 was not involved in the accident and, presumably, was at least as safe as Unit 2 which performed so well, according to the industry, in nuclear power's toughest test to date.

COULD IT BE that the accident actually was more serious than the industry cares to admit? Over and over again the people of this area have been assured that there were no health implications associated with the accident, an assertion that has been independently corroborated on more than one occasion.

Yet, the industry — through its insurers — chose to avoid what in American society is the ultimate test of any claim of blamelessness — placing their case before the judgment of a court. The excuse that this tactic was taken solely to avoid the expense of a trial is either false or unbelievably stupid. This was a golden opportunity to put to rest the "mythology" that the accident produced a local epidemic of cancer.

Then we have the matter of NRC-ordered safety modifications that have affected not only TMI Unit 1, but virtually every nuclear plant in the country. If the accident demonstrated that nuclear-plant safety fea-

tures actually performed better than expected, then why is all this money being spent? And why, after six years and millions of man-hours of investigation and attention by its staff and officials, is the NRC only now on the threshold of deciding whether Unit 1 is sufficiently safe to restart? And finally, if the accident really wasn't worth all of the concern and commotion it has generated over the past six years, why is it costing the public something on the order of \$3 billion to deal with it?

THERE may be answers to these questions, but no one entity can answer them all authoritatively. That in itself is one of the more disturbing aspects in this entire drama because it reflects the continuation of a fragmented responsibility that was so much in evidence during the accident. It is one more indication that while there have been many surface changes surrounding TMI over the past six years, the fundamentals remain much as they were.

Normally, continuity is reassuring, but that is not true in this case. This is an element of the TMI scenario that neither the industry nor its regulators have managed to grasp. Industry was too busy convincing itself that the accident bordered on being a non-event, while the NRC wallowed in an overabundance of bureaucracy and regulations amid an absence of bold and determined leadership.

For the great majority of local residents, the TMI accident was an event that was inexcusably terrifying in its implications, if not in its actual impact. They expected, and rightly so, a degree of change equivalent to the impact of the accident on their lives. Instead they have gotten a countless number of useless legal exercises that may have satisfied some obscure NRC regulations. But absolutely nothing has been done to meet the expectations of a people whose once blind faith in nuclear power has been shattered.

As the NRC finally untracks from its bureaucratic inertia to approve restart there is a disturbingly familiar quality about it all, as if during the course of six years nothing of substance has really changed.

20% core melt cited, but no meltdown

From staff and wire reports

Up to 20 percent of the reactor core may have melted when Unit 2 overheated at Three Mile Island, scientists in Idaho say after coming up with a likely chain of events during the March 1979 accident.

But as a molten mass of uranium and metal flowed to the bottom of the bullet-shaped reactor, it cooled and solidified, leaving the stainless steel outer vessel intact.

And so despite core temperatures that reached 5,100 degrees Fahrenheit, there was no "meltdown," according to Harold Burton, TMI programs manager for EG&G Idaho, a federal contractor at the Idaho National Engineering Laboratory.

Scientists first announced in February that fuel had melted in the TMI accident. This latest research, paid for by the U.S. Department of Energy and announced yesterday, backs up their results.

It also gives the first detailed hypothesis of what actually happened inside the core when a valve outside stuck open and leaked vital cooling water.

The results carry meaning for the hundreds of cleanup workers who intend to start removing fuel debris this summer, a spokeswoman for the plant operators said yesterday.

"They'll be doing relatively less vacuuming [of small particles] and more removal of chunklike material," said Lisa Robinson of GPU Nuclear Corp.

Robinson added, "We don't expect the information released today will effect the length of time

— 1½ years — or the expected cost of defueling."

Engineers now are designing long-handled tools to handle the larger chunks.

Workers are expected to dangle the tools into the opened Unit 2 reactor from a platform, set on top of a water-filled tank resembling an above-ground swimming pool that was moved over the 38-foot vessel last summer.

Here's what happened in 1979, according to Burton:

It was about 6:30 a.m. on March 28, 2½ hours after the valve stuck open, that metal and fuel began to melt at the top of the core.

Parts of the core reached 5,100 degrees Fahrenheit, the melting point of uranium fuel and already much hotter than the melting point of the metal.

The liquid mass began to flow downward, perhaps through passageways normally traveled by the cooling water. Along the way, the molten substances may have damaged more of the metal core structure.

At 6:54 a.m., reactor operators let cooling water rush back into the core, which solidified the hot mix of uranium and metal. At the same time, the water caused the remaining upper portion of the core, which had become brittle, to crumble into a bed of rubble.

Some of the material again melted, and solidified at about 7:45 a.m., forming its own bed of rubble at the bottom of the vessel. Remote television pictures show the debris is piled about 3 feet deep.

50-50 meltdown

NRC findings press nuclear insurance reform

WITH restart of Three Mile Island Unit 1 at hand, it isn't exactly reassuring to learn that the Nuclear Regulatory Commission estimates there is a 50-50 chance of a "severe core melt accident" occurring over the next 20 years. The estimate was made at the request of the House Subcommittee on Energy Conservation and Power which has jurisdiction over the NRC.

A partial melting of the nuclear-fuel core occurred during the TMI accident in 1979. The kind of accident postulated in the NRC estimate would likely be more serious than the one at Unit 2. The probability of a reactor-destroying accident occurring at any single nuclear plant in the country during the course of a year is one in 3,333, according to the NRC. The chance of an accident causing substantial damage beyond the plant is 10 times greater.

The NRC continues to consider the risks of nuclear power acceptable and plans no major efforts to reduce them. But it said that judgment was conditional on the completion of a study of severe accidents currently underway. Only Commissioner James Asselstine questions the wisdom of a public policy that finds it acceptable "to expect a 50 percent chance of another Three Mile Island or worse in the next 20 years." He believes the NRC should be doing more to prevent such

accidents. Few who live in the region surrounding TMI would disagree.

ONE CERTAIN consequence of a meltdown is that it is going to be enormously expensive. If nothing else, TMI has proven that. The cost of cleanup, purchase of replacement power and the repair or abandonment of the unit is estimated conservatively at \$3 billion. An accident at one of the newer and considerably more expensive nuclear plants could well prove to be twice as costly.

Yet, despite the experience of TMI and the possibility of another serious accident, there is not a nuclear plant in the country that is even close to being insured against all related costs. Since TMI, the NRC has raised the required coverage on a plant, but overall insurance protection against an accident remains far from adequate.

The implementation of appropriate safeguards against the financial fallout of future nuclear mishaps should have been accomplished long ago, either by the NRC or Congress. In the absence of federal action, the states should have moved through their legislatures or public utility commissions. This has not been done, which is just one of many indications that little was learned from the nation's first major nuclear accident.

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NRC refuses to revoke GPU's operating license *for lack of character*

By MICK ROOD

WASHINGTON — The Nuclear Regulatory Commission yesterday denied 4-1 a petition by a group of central Pennsylvanians proposing that the NRC revoke GPU Nuclear Corp.'s operating license on grounds that the utility lacks overall character.

Commissioner James Asselstine voted against the order denying the motion.

The commission denied the petition on a number of technical grounds, but primarily because it is the NRC's view that GPU Nuclear's character is being considered as part of the restart proceeding on the undamaged Three Mile Island

Unit 1.

Yesterday's order noted the commission already has stated that:

"Whether there was one or many past improper acts, the issue today is whether adequate remedial steps have been taken to provide reasonable assurance that the plant can be operated safely. Any improper acts would need to be considered in the aggregate only if they still posed a current significant safety concern."

There was no discussion yesterday during a 60-second meeting called to affirm the order.

GPU Nuclear, in arguing the NRC should lift a 1979 shutdown

order of Unit 1, has stated repeatedly that its revamped staff and operating procedures at the nuclear plant mean it can be operated safely.

The petitioners had listed a long series of GPU Nuclear infractions in regard to TMI Unit 1 and the accident-damaged Unit 2. Included were the company's alleged "lying" about plant conditions at the time of the Unit 2 accident six years ago and subsequent operator cheating on license examinations.

"Its character is something which no organizational chart, policy statement, budget or plan can change," the petition said. "Character qualities are inherent, and they are paramount considerations because character qualities

permeate all acts and omissions of licensee."

Pennsylvania petitioners included state Sen. John J. Shumaker, state Rep. Peter C. Wambach Jr., Dauphin County Commissioner Lawrence J. Hochendoner, former Harrisburg City Councilwoman Jane Perkins and Three Mile Island Alert Inc., an intervenor in the Unit 1 restart case.

Petitioners from New Jersey, where General Public Utilities Corp. operates the Oyster Creek nuclear plant, included the Monmouth County Safe Energy Alternatives Alliance, the Essex County Women's International League for Peace & Freedom, the Essex SEA Alliance and the New Jersey SANE.

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News Watch on the
Harrisburg Area

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NRC sets restart date of June 11 4-1 vote cites GPU 'reasonable' pledges

By Mick Rood
Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission yesterday pronounced the Three Mile Island Unit 1 plant safe to operate, ending nearly six years of controversial deliberation.

Recalling the TMI Unit 2 accident in 1979 that caused the indefinite Unit 1 shutdown, a 4-1 NRC majority concluded in a restart order that "pre-accident faults at TMI have been corrected such that there is reasonable assurance that TMI-1 can and will be safely operated."

NRC Chairman Nunzio Palladino and Commissioners Thomas Roberts, Lando W. Zech and Frederick Bernthal signed the order. James Asselstine was the dissenter.

Barring legal or mechanical obstructions, Philip R. Clark, president of GPU Nuclear Corp., said a cautious start-up schedule to bring Unit 1 to full power in 90 to 100 days will begin soon after June 11 — the effective date of the restart order.

The plant would not actually produce electricity until three or four weeks into the start-up process, when it reached 15 percent of its 800-megawatt rated capacity, Clark said.

GPU Nuclear was formed to run the Londonderry Twp. facility after the nation's worst commercial nuclear accident, on March 28, 1979, destroyed the Unit 2 reactor. Owned by General Public Utilities

Inside

- Profiles of the five men who made decision on Unit 1 — A8
- NRC vote draws wide range of reactions around midstate — A9
- New lawsuit adds 37 names to list of TMI plaintiffs — A10

Corp. of Parsippany, N.J., TMI had been operated by Metropolitan Edison Co., a GPU subsidiary.

The NRC bucked substantial public sentiment in central Pennsylvania and the opposition of most of the area's elected representatives, who wanted still more safety hearings on GPU Nuclear's competence and character.

Intervenor in the Unit 1 proceeding — Three Mile Island Alert, the Union of Concerned Scientists, Norman and Marjorie Aamodt of Coatesville and Gov. Dick Thornburgh representing the state — all said they will seek to overturn the restart order in the 3rd U.S. Circuit Court of Appeals in Philadelphia.

A sometimes boisterous crowd of about 200 people, including more than 50 reporters and about 75 midstate residents both for and against the restart, attended the meeting. Palladino repeatedly

See NRC — Page A9

NRC

From Page A1

gave down a minority of anti-restart activists when they applauded, hooted, or yelled out "murderers," "nazis," "traitors" — and obscenities — during the meeting.

The name-calling did not deter a somber William G. Kuhns, GPU board chairman. When a reporter asked him what revenue Unit 1 would produce, Kuhns replied, "I want to talk about safety, performance and excellence — not money."

Kuhns called the NRC order "a very emotional thing."

"We're going to do it right," he said. "We accept this order as a trust, a trust we will not violate."

In a statement explaining his vote, Palladino said: "While we are aware of the sentiment of many members of the public, the commission must base its decision to authorize restart on its conclusion that there is reasonable assurance that this plant will be safely operated."

Palladino, a Pennsylvanian who described the decision as "not ... an easy one for me," said he based it on:

— Four NRC licensing board decisions favorable to GPU Nuclear.

— The NRC staff's view that the 1979 shutdown order on Unit 1 should be lifted.

— His "own review" of restart information.

— "Greater-than-usual ... regulatory scrutiny" planned for the start-up period.

"Having been forced to endure one serious nuclear power plant accident, the people of central

Pennsylvania deserve nothing less than a full and searching inquiry into every relevant safety issue before TMI-1 is allowed to start," Commissioner Asselstine said.

Asselstine said history has shown "a licensee which has been unwilling or unable to provide the commission accurate and complete information on significant safety issues ... a licensee with a pattern of violating commission regulations for the sake of expediency, a pattern which began before the accident and which continues even to this day."

Rather than consider GPU Nuclear's pattern of behavior, Asselstine said the commission has isolated restart issues and made a "piecemeal" decision. He said more NRC licensing board hearings were needed on 1978-79 coolant leak rate falsification in both Units 1 and 2 and the NRC staff's two changes of mind on GPU Nuclear competence to operate Unit 1, among other things.

Bernthal, who had voted with Asselstine against an NRC order that shut off further hearings in February, sympathized with Asselstine's points. But Bernthal said that while holding more hearings might be good public policy, it was not legally required.

"I firmly believe that, as a technical matter, this facility can now be operated in a manner wholly consistent with public health and safety," Bernthal said. He cited reports that Unit 1 "measures up very well" to standards set for other pressurized water reactors designed by Babcock & Wilcox.

The commission attached a number of conditions on the GPU Nuclear license renewal, including two new ones yesterday:

— GPU Nuclear must submit a "power ascension schedule," including points at which the NRC staff must approve, as the utility builds toward full power.

— The NRC staff must provide a "general description" of an increased NRC oversight plan during the start-up period. Asselstine had criticized oversight plans as being too vague.

One reason Kuhns and Clark could not say yesterday when the company will go on line is the new NRC requirements.

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'Economics has prevailed over safety'

TMI restart ruling angers Heinz, Specter

By Mick Rood
Washington Bureau

WASHINGTON — Pennsylvania's U.S. Sens. John Heinz and Arlen Specter reacted sharply yesterday to the Nuclear Regulatory Commission's approval to restart the Three Mile Island Unit 1 reactor.

Both senators said further management integrity and safety hearings should have been held before a restart vote. Heinz called the vote "wrong." Specter called it "a mistake."

"Economics has prevailed over public safety and health, and that is unfortunate," Heinz said in an

apparent reference to rate revenues the utility will gain from renewed operation of TMI Unit 1.

"They [NRC] would save everybody a lot of time and effort if they completed the hearing process," Specter said. "Until the issues of safety and competence of management are dealt with, I predict it will drag through the litigation process for a long time."

U.S. Reps. William F. Goodling, R-Jacobus, and George W. Gekas, R-Harrisburg, were more philosophical.

"I have to have faith in the fact that the agency knows what it's doing," said Goodling. "I don't think politics or politicians should

be able to interfere with an independent agency. You have to hope that after five years they know what they're doing."

Goodling differed with Heinz and Specter on the need for more NRC licensing board hearings. "More hearings wouldn't have done any good," he said.

The big problem for Goodling is that TMI owner General Public Utilities Corp. of Parsippany, N.J., has retained its board Chairman William Kuhns and President Herman Dieckamp since the 1979 TMI Unit 2 nuclear accident in Londonderry Twp.

"Having two of the main players still in the box doesn't give the

people confidence. I hope they're not in decision-making positions," Goodling said. "It's just the idea of the thing. We needed those kind of changes from day one."

Gekas said "nobody was really surprised by the decision. The vote was anticipated."

"It's the end of phase one," Gekas said. "Phase two is the outcome of legal battles yet to be filed."

On the prospects of the state and anti-nuclear groups getting the U.S. 3rd Circuit Court of Appeals to overturn the restart order or enjoin it, Gekas said "other agencies have been overruled before."

Foes of restart applaud court on intervention

By Frank Lynch
Patriot-News

TMI

From Page A1

Opponents of the restart of Three Mile Island's Unit 1 reactor had their day in the sun yesterday after a court decision again cast doubt on the nuclear reactor's fate.

"I thought it was an excellent decision," said Dauphin County Commissioner Lawrence Hochendoner, who opposes restart until health, safety and management integrity issues concerning plant operations are resolved.

The 3rd U.S. Circuit Court of Appeals in Philadelphia yesterday issued a stay order to plant owner General Public Utilities, and GPU Nuclear Corp., a subsidiary that operates the plant. The order freezes the company's restart countdown, which began early yesterday morning with "heat up" of the plant's non-nuclear systems.

The U.S. Nuclear Regulatory Commission on May 29 authorized restart, and the effective date was four days away when the stay order was issued. GPU Nuclear officials had announced they would begin a controlled chain reaction in the reactor on Tuesday.

Pointing out that he is unfamiliar with details of the order, Hochendoner said, "It definitely suggests that the outstanding, important issues... are in fact going to get proper analysis. I would

Inside:

● GPU Nuclear plans to continue non-nuclear hot testing — A2

hope that [hearings] would be the final result of the decision the court makes."

"We're thrilled," said Joanne Doroshov, attorney for Three Mile Island Alert. "It's very significant that they have accepted a lot of our arguments in favor of a stay. They don't do that lightly."

Middletown Mayor Robert Reid said he hopes the court orders more hearings. "If it [the stay order] is for safety reasons, I'm glad they're doing it. I really feel there's some safety issues that are not resolved yet."

"They need to have all [the hearings] they can to satisfy the people in this area. I know GPU is going to lose money" with a delay, he said, "but the people in this area have to live with the plant, and GPU has to live with the people in this area."

"We're very pleased with the staying action," said Harrisburg Mayor Stephen R. Reed. "I'm hopeful this will allow for the in-depth analysis and determination on outstanding issues [with TMI]

that the NRC has shown itself incapable of considering."

"I think the court's decision is fantastic news," said state Rep. Bruce Smith, R-Newberry Twp. A long-time critic of the plant, Smith said he was "quite pleased that the court acted so quickly. I had hoped they would act before GPU initiated a nuclear reaction."

Yesterday's court order also drew praise from Pennsylvania's U.S. senators, Republicans Arlen Specter and John Heinz, and from U.S. Rep. George Gekas, R-Harrisburg.

"It [the order] is a welcome second chance to permit resolution of the unanswered management integrity and safety issues that the NRC has so far failed to come to grips with," Heinz said.

"While the decision is a short

reprieve to the people who live and work in the shadow of Three Mile Island, it is nonetheless a positive, constructive development," he said.

A spokesman for Specter said the senator is "glad that [restart] is being delayed, at least until the court can hear the issues."

Gekas, who three weeks ago urged NRC members to "rethink, reject restart," yesterday said, "This gives us reason to feel that perhaps some of the issues we feel are important, perhaps will be considered in new hearings."

Most downtown strollers interviewed yesterday afternoon were happy with the court injunction.

"I think it is a good decision," said Stephanie Sehar of Colonial Park. "I don't think that it should have been opened in the first place."

Scott Heckman dipped into a bag of metaphors when asked his opinion of the decision. "I think it's good. The place shouldn't be opened if they [plant operators] are playing with half a deck. Let me put it this way, if you eat bread that's half-baked, don't call me if you get sick," he said, implying that GPU Nuclear is not yet ready to operate the plant safely.

"I don't think their elevator goes to the top floor; if you know what I mean."

Prudence Laing of Steelton agreed, but she was not quite as philosophical. "I'm happy. It should never have been opened."

Jeff Seibert of Enola said the court may have made the wrong decision yesterday. "I think it should stay open. It was trial and error [that led to the March 1979 accident at Unit 2]."

The chronology:

Here, in summary form, are some of the most significant events of the past six years relating to restart:

1979

March 28: TMI-2 reactor overheats, melting uranium fuel and discharging radiation; at the time, TMI-1 is shut down for refueling.

April 2: General Public Utilities Corp., principal owner of TMI, says replacement power will cost \$1.1 million a day. Actual figures prove lower.

May 9: GPU tells stockholders it will eliminate 600 jobs.

July 5: Nuclear Regulatory Commission orders TMI-1 shut down pending safety hearings.

Aug. 9: Atomic Safety and Licensing Board set up to hold hearings.

Oct. 3: President Carter's 11-member Kemeny Commission implicates entire structure of nuclear power industry.

1980

Jan. 17: GPU announces new subsidiary, GPU Nuclear Corp., will run Three Mile Island.

March 24: GPU stock hits all-time low of 3%.

May 23: State Public Utility Commission removes TMI-1 from investment base on which electric rates are calculated.

Oct. 15: Restart hearings begin in Harrisburg. Major issues: plant design and hardware; emergency planning; financial capability; and management integrity — which will prove the most difficult to resolve. NRC votes 2-2 that "psychological stress" on nearby residents is not an issue.

1981

March 26: NRC rejects GPU request for restart before hearings end, but approves hot tests of TMI-1 with non-nuclear heat and dismisses financial capability issue. Emergency drills and two months of hot testing follow.

July 9: Main restart hearings end. Six weeks later, licensing board reports GPU Nuclear has managerial ability to restart TMI-1 safely. But charges surface in October that reactor operators cheated on licensing exams and hearings reopen November 10.

November: GPU Nuclear discovers that sulfur in coolant system corroded 29,000 tubes in TMI-1 steam generators. Repairs planned.

Dec. 14: Licensing board finds modified TMI-1 hardware safe to operate.

Dec. 21: GPU Nuclear turns over \$2 million emergency warning system to counties surrounding TMI; its sirens fulfill NRC requirement.

1982

Jan. 7: Federal appeals court in Washington rules restart hearings need not consider psychological stress, but that federal law requires environmental impact study. Injunction issued against restart.

May 18: Voters in Dauphin, Cumberland and Lebanon counties oppose restart 2-1 in non-binding referendum. Turnout is 26 percent.

Nov. 9: 1,200 Harrisburg-area residents attend NRC meeting here, expecting restart decision December 10.

1983

March 17: GPU tells its stockholders cash-flow "crises" since accident are over.

April 18: U.S. Supreme Court unanimously reverses appeals court on stress issue. Injunction lifted.

May 18: Twelve citizens from Harrisburg area block TMI entrance on referendum anniversary and are arrested. They become known as the TMI Twelve.

May 27: Licensing board rules in TMI's favor on remaining plant design and technical issues.

June 23: NRC Commissioner Victor Gilinsky calls for dismissal of top GPU management.

July 22: GPU Nuclear fined \$140,000 for false statement to NRC regarding cheating on license exam by a supervisor in 1979.

Oct. 24: NRC finds no evidence of hiring irregularities or unsafe welds at TMI reactors.

Nov. 7: Met-Ed indicted on 11 charges of criminal falsifying test data on coolant leaks and destroying documents before the accident.

Nov. 22: Admiral Hyman G. Rickover reports GPU

Nuclear management has "competence and integrity to safely operate" TMI-1.

Nov. 28: GPU Nuclear President Robert C. Arnold, implicated in management integrity issues, resigns. Six months later, NRC finds he made inaccurate statements about relief valve that played key role in TMI-2 accident.

Dec. 5: NRC staff recommends restart at 25 percent power while management integrity issues are resolved.

1984

Jan. 27: NRC votes 3-2 to separate integrity issues from restart decision.

Feb. 28: Met-Ed pleads guilty to one count and no contest to six others in a plea bargain agreement. Agrees to pay \$1 million to emergency planning fund, faces \$45,000 fine.

March 28: Fifth anniversary of TMI-2 accident; the Rev. Jesse Jackson attends protest vigil at plant gates.

April 26: NRC closes out three of six remaining restart issues: allegations of leak rates falsification, management reporting failures and training irregularities. Vote on restart set for June 27.

May 23: Licensing board orders new hearings on management competence and integrity. Three weeks later, NRC puts off restart vote.

July: Licensing board holds hearings on \$52 million repairs to steam generators; repairs approved Oct. 31, but more defects found in November.

Aug. 13: Pennsylvania officials, New Jersey activists and TMI Alert petition NRC to revoke GPU Nuclear's license for lack of management integrity.

Aug. 15: Gov. Dick Thornburgh urges NRC not to vote on restart until TMI-2 cleanup funding and management integrity hearings are complete.

Sept. 7: NRC delays decision again, as licensing board schedules more hearings for November on leak rate falsification, accident reporting and training adequacy.

Nov. 8: Congress notified that a federal grand jury is investigating NRC staff.

Nov. 16: Former TMI Supervisor of Operations James Floyd convicted in federal court of cheating on exams in 1979.

See TMI—Page A2

82 arrests made at TMI gate

By Frank Lynch and Peter Kelley
Patriot-News

With more than 200 fellow protesters chanting encouragement, 76 men and women and six juveniles were arrested by state police last night for blocking Three Mile Island's north gate.

The demonstration at the plant started just 3½ hours after GPU Nuclear Corp., the plant operator,

● Complete list of those arrested, charged — B12

was given a green light by the Nuclear Regulatory Commission to restart its undamaged Unit 1.

About 40 state police officers were on hand to greet the demonstrators as they marched about one-third of a mile from a parking area to the north gate. The two-hour protest, marked by shouting and singing, went off without injury or violence.

Those arrested were bused from the plant to a processing center set up in a hangar at Harrisburg International Airport. They were to be charged with blocking a public entrance, a summary offense that would cost each \$73.50 in fines and costs, police said.

The march started at 6:35 p.m., led by members of Lancaster's Susquehanna Valley Alliance and others who gathered in ghostly

See ARRESTS—Page A9

Arrests

From Page A1

white robes and carried bouquets of black flowers.

Some marchers carried signs, one reading "Surrender GPU. You're Surrounded," and another, "Not Really Concerned," with the NRC initials underlined.

Matthew Dodd of Marysville played guitar as he walked and sang, "It's time to take to the streets once again. . . . Get rid of the atom, give us the sun."

Those who came to be arrested approached the gate in three separate waves, the first at about 6:50 p.m. as a plant guard rammed down a stake to secure the chain-link gate.

Francis Skolnick, one of the "ghosts" dressed in white, placed her black wreath on the fence. "This is for the victims of the TMI accident," she said.

A few minutes later, at 6:54 p.m., police made their first arrest. Within 15 minutes they had removed the first 20 people from the gate to a waiting green bus.

Among them was Leonard Ragouzeos, 38, an art professor at Millersville University, who said he was there because "we're downstream, for one thing." And he said he resents his university providing GPU with work-study students.

Betty Tompkins, 67, of Lancaster was another. She held a basket of strawberries "for the policeman that arrests me."

One woman cried as she was fingerprinted and held a number to

her chest to be photographed by police cameras set up near the bus.

Then the second wave of protesters came at 7:18, and after they were arrested a third group crossed Route 441 to the plant entrance at 7:25.

Dauphin County Commissioner Lawrence J. Hochendoner, a re-start opponent who was on hand to watch, said, "I thought it was super. These people [the protesters] really did a good job."

Douglas H. Bedell, spokesman for GPU Nuclear, praised police. "This was their operation, and they handled it well."

Others watching included homeowners living near the plant, and TMI workers.

"They're [protesters] a bunch of losers, every one of them," said Mike Dinsell, 23, a Pennsylvania State University Capitol Campus engineering student who performs research at Unit 2 for the U.S. Department of Energy.

"It's a bigger show than I've seen in the past, and they're more organized, I'll give them that much credit."

Paola Kinney, a Middletown homemaker and cake decorator, marched to the gate but had decided ahead of time that she would not be arrested. "I don't feel that this is the end of the line yet. I just don't think it's time yet to get arrested."

Marietta farmer Jim Hershey, 35, said he was marching for two reasons. "On a personal note, I am concerned about the safety and well-being of my family and

friends. On a broader basis, I am frustrated with the insults the NRC and GPU have given the public."

Geordie Robb of Lancaster, a 17-year-old student at Penn Manor High School in Millersville, said he was taking part "because I want the Susquehanna Valley to be a safe place for my kids to grow up in."

Asked if he planned to be arrested, he said, "How can you be arrested for self-defense? I am

looking out for my future, and the future of my friends and relatives."

"I feel like we have followed all proper channels, and we have fallen short. To me it's just mind-boggling," said Erma Weaver of Landisville, who was clothed in a white sheet and carried a black bouquet. She said the white garment was a "symbol of the innocent people who are the victims of the accident" at the plant in 1979.

1985

Jan. 2: Licensing board Chairman Ivan W. Smith asks federal district court for lenient sentencing of Floyd. Thornburgh, TMI Alert and NRC staff call for his dismissal.

Feb. 13: NRC votes 3-2 that no further safety hearings are needed before a restart decision.

March 14: GPU Nuclear asks NRC to allow testing and operation of TMI-1 steam generators without plugging hundreds of worn tubes.

March 19: Industrial leaders representing 40 companies and the state Chamber of Commerce ask Thornburgh to soften his opposition to restart.

March 26: NRC votes 5-0 in closed meeting not to disqualify Smith.

April 4: NRC votes 4-1 against petition to revoke GPU Nuclear license.

April 10: GPU Nuclear tests TMI-1 with non-nuclear heat.

April 11: Licensing board finds revamped training program "suitable," closing out cheating issue.

April 18: Union of Concerned Scientists urges analysis of steam generator tube rupture accident before restart. GPU Nuclear response: "Unrealistic."

April 25: Commonwealth, followed by TMI Alert, asks federal appeals court in Philadelphia to require further safety hearings.

May 3: Licensing board finds GPU Nuclear capable of safe operation.

May 8: NRC sets restart vote for May 29.

May 16: NRC rules out hearings or study on radiation health effects before restart vote.

May 20: Anti-nuclear activists promise to block TMI gates May 29 if NRC votes for restart. Others file new appeal with federal appeals court in Philadelphia, charging GPU Nuclear lacks required character to run TMI-1 safely.

May 22: NRC hears eleventh-hour appeals from Thornburgh and other public officials, anti-nuclear groups, NRC staff and plant operators.

The chronology: (cont. from page 2)

Fight against restart ordered by governor

By David Morris
Patriot-News

Gov. Dick Thornburgh, calling the Three Mile Island restart vote "premature and irresponsible," yesterday directed state attorneys to petition a federal appeals court to overturn the decision allowing Unit 1 to resume operation.

The petition for review was filed with the 3rd U.S. Circuit Court of Appeals in Philadelphia.

"The [Nuclear Regulatory] Commission has not provided the commonwealth and its citizens with adequate assurances that TMI-1 can be operated safely, and these assurances cannot be provided at this time because the commission has not completed full hearings on the integrity of the management of TMI-1," the state said in its petition.

The document asks the court to order the NRC to hold further hearings and resolve outstanding management issues and then take another restart vote.

Thornburgh also called a rare news conference to criticize the NRC's 4-1 vote.

"Hundreds of thousands of our citizens who lived through the 1979 nightmare and who continue to live in the shadow of this plant deserve to have their concerns ful-



Associated Press

Gov. Dick Thornburgh
NRC vote "irresponsible"

ly addressed by the NRC," Thornburgh said. "The unwillingness of the commission to do that is, in my view, ill-conceived and inexplicable."

The governor said he believes nuclear power still has a role in America's energy future, but asserted that the public will not

See GOVERNOR—Page A9

Governor

From Page A1

agree with that if the commission "cannot do a better job of assuring the public that all health and safety concerns are being taken into consideration." For that reason, he said, he viewed the restart decision as a setback for the nuclear industry.

Despite his agreement with anti-nuclear activists on the restart issue, Thornburgh said he would not condone related illegal activities, including disruptions at the plant.

Like Thornburgh, local legislators were not surprised by the outcome, but they were disappointed.

"I think it's a dismal day in central Pennsylvania," said state Rep. Peter C. Wambach Jr., D-Harrisburg. "Obviously the NRC decided to ignore the concerns of the people."

State Rep. Bruce Smith, R-Newberry Twp., said the decision

demonstrated "bureaucracy at its worst," and he predicted public confidence in the agency and the plant would never be restored.

"Confidence lost is like virginity lost," he said. "Once it's gone, it's gone forever."

State Sens. John Shumaker, R-Grantville, and John Hopper, R-Camp Hill, said the public was ignored.

"[Residents] did not and still do not have a feeling of security from the way the plant has been operated and the matter has been handled," said Shumaker, who last year sponsored a Senate resolution urging that the restart decision be tabled until the safety and management questions were resolved.

NRC hit for allowing restart of Unit 1

United Press International

WASHINGTON — Senators criticized the Nuclear Regulatory Commission for allowing the undamaged reactor at Three Mile Island to restart, then authorized the agency to spend \$437 million in the next two years.

Sen. Gary Hart, D-Colo., said yesterday he doubts the reactor can be operated safely and he will keep close tabs on NRC decisions regarding the plant.

Hart led an investigation of a partial meltdown of Unit No. 2 at the plant in March 1979, the nation's worst commercial nuclear accident.

Although the NRC voted 4-1 to lift the shutdown order on the undamaged Unit No. 1, a federal appeals court has blocked the restart pending review of numerous legal challenges.

Hart also said the commission has "taken a giant step backward" by attempting to do more of its work in secret. Safety and the public interest are compromised when the commission makes decisions in private, he said.

Despite Hart's reservations, the Senate on a voice vote authorized the NRC to spend \$437 million in the next two years — \$8 million more than the administration requested but \$12.5 million less than the agency has now.

The increase restores the administration's proposed 5 percent pay cut for NRC employees, a reduction that was suggested for all civilian federal employees.



Hart

Staff This Issue:
Editors,
Kay Pickering
Joe Belcastro
TMIA Office Staff

Page 3.

The Evening News, Harrisburg, Pa., Friday, June 14, 1985

Plaintiffs seek answers in GPU suits

By Mary Warner
Sunday Patriot-News

At the rate of more than 11 a day for the past 11 weeks, people have been filing suit in Dauphin County Court against the owners of Three Mile Island.

The suits claim the plaintiffs — or their spouses or parents or children — had cancer or birth defects or simply anxiety because of the 1979 accident at the London-derry Twp. nuclear plant.

Most of the suits are not specific about the money they are seeking. But the collective expectations of those 632 plaintiffs is clearly millions and millions of dollars.

Still, in interviews, some of them talk about other motives.

A WOMAN who was pregnant when the accident happened hopes the litigation will reveal, once and for all, whether radiation caused the child's death.

A man who moved his family near the plant the year before the accident says he assuaged his conscience by suing on behalf of his wife's estate. She died of cancer in 1983.

A woman who had a stillborn child two years ago says she is making a public statement with her suit.

"I think [GPU Nuclear Corp.] should realize how serious this is," said Linda Fortna of Dauphin. "If enough people sue, maybe they will take notice."

THIS SECOND wave of TMI personal injury suits already is twice as large as the first wave — which came in the first three years after the accident.

And there is no reason to think the current wave of suits is over.

Stories about new TMI suits frequently prompt calls to The Patriot-News Co. and to the prothonotary's office at the courthouse.

People want to know whom to contact to file their own suits.

Plaintiffs say attorneys are handling the cases on a contingency fee basis: The attorneys will get their fees if the plaintiffs win.

EIGHT OF 10 plaintiffs interviewed recently said they filed suit after they read or heard about other people doing it — or about the out-of-court settlements in February that ended most of the earlier claims.

"To be honest, I was not aware anything like this was even allowed, until I read in the paper where people had gotten settlements," said Carolyn Loranzo of Middletown, one of 43 plaintiffs on the first of the recent suits.

Loranzo and her husband, Nicholas, sued because their child was deformed and died shortly after birth. She said she was three months' pregnant when the accident occurred.

"What I'm hoping mostly for is to find out whether this really did deform my baby," she said.

THE 10 plaintiffs interviewed were among 19 contacted. The other nine refused to talk.

A woman who asked not to be identified said her husband was harassed by fellow workers after a news story appeared about their suit on behalf of their 5-year-old son. He has learning disabilities, asthma and a skin disorder.

"They said, 'You're really going out for big money for yourselves,'" the woman said. "[But] the money that we get, if we get anything, we would put away for him. . . . We work with him constantly, but he may never be able to take care of himself."

She said her son's doctors had laughed at her concerns that TMI was the cause of his problems. But

See TMI—Page A9

From Page A1

she was not dissuaded. "What's to say it isn't?" she asked.

JAMES BEAVER, a soft-spoken postal worker from Middletown who sued as administrator of his wife's estate, was one of the plaintiffs who seemed eager to talk.

Rita Beaver died in 1983, at age 42, of cancer that had been in remission for seven years and reappeared six months after the accident, he said.

The year before the accident the family had moved 75 miles downriver to Middletown, near the plant, to follow his job.

"I've done a lot of soul-searching. I had to do what I had to do to clear my conscience, because I'm convinced the accident caused her problem," Beaver said. "If I don't get a nickel, I'll have a clear conscience now."

injury was "significantly" increased by the defendant's conduct.

It isn't clear whether the court would consider an increase from 50 to 75 to be "significant," Ackerman said.

WHEN A CASE involves that kind of "unsettled law" and hotly contested facts, it may be more likely to go to trial, Ackerman said. That's because "the parties have less of a data base" for assessing their positions in an out-of-court settlement.

But he added: "If the parties are risk-averse, they may be that much more scared" of a trial and choose to settle.

The suits also could be thrown out of court for various legal reasons. For example, GPU has ar-

gued that the plaintiffs waited too long to sue, under Pennsylvania law.

At any rate, Ackerman said, the cases could be in court for years.

THE RECENT suits join seven similar ones pending in Dauphin County Court after four years. Those suits — most of them filed by attorney F. Lee Bailey — also claim personal injuries from the accident.

Most of the 300 or so personal injury claims filed in the first years after the accident were settled early this year, according to TMI's insurance company.

About 70 of the settlements, totaling \$3.9 million, became public in February because they involved children and required court

approval. Amounts of the other settlements never were revealed.

The largest known settlement was \$1 million for a 5-year-old child who has Down's syndrome.

THE CHILDREN were represented by attorneys Lee Swartz of Harrisburg or Louis Tarasi of Pittsburgh — who also have filed almost all of the recent suits.

Attorneys for the insurance companies said the settlements were made to avoid the expense of trials and were not an admission that anyone was injured by the accident.

Ackerman said lawyers considering an out-of-court settlement assess the legal strength of the case — whether it is sufficient to get to a jury in the first place — and the nature of the potential jury

"If I don't get a nickel I'll have a clear conscience"

— whether it is "likely to be swayed by a sentiment."

BUT THERE are other considerations besides the potential outcome of a trial, he added. GPU and the other defendants may have wanted to avoid "weeks and weeks of testimony regarding this poor child with Down's syndrome, even if they didn't believe in any link" between the child's disorder and the accident.

"I'm not that quick to read [the settlements] as an admission of liability," Ackerman said.

The professor, who is on an American Arbitration Association panel, said he would like to see the recent TMI suits go to mediation. Mediation is "more and more in vogue" in settling commercial disputes that would otherwise be

in court, he said, and he said personal injury cases such as the TMI suits would also make good candidates for mediation.

Ackerman did not deny that trials on the TMI suits would be a valid use of the judicial system — both to settle the "unsettled law" involved in the cases and to meet the desire of some plaintiffs to "put GPU through this."

ON THE OTHER hand, he said, mediation might be more efficient and might provide a better forum for the parties to discuss those "issues that don't necessarily reduce themselves to dollars and cents."

"As somebody who lives in this area, I wouldn't mind hearing an apology from GPU," Ackerman said. And he speculated that some of the plaintiffs feel the same way.

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News Watch on the Harrisburg Area

VOL. 5 NO. 5

JULY/AUG. 1985

The Patriot, Harrisburg, Pa., Wednesday, August 28, 1985

TMI unit could run tomorrow

By Peter Kelley
Patriot-News

Barring last-minute court action, the undamaged Unit 1 reactor at Three Mile Island could be operating by tomorrow.

Operators of the Londonderry Twp. nuclear power plant say they could restart Unit 1 within 12 to 16 hours of an expected go-ahead from the Nuclear Regulatory Commission in Washington.

Word from the NRC could come today, Philip R. Clark, president and chief executive officer of GPU Nuclear Corp., told reporters at a news conference here yesterday.

"The plant is ready. It has been 'hot' since mid-June," Clark said, but he said there was some confusion about the wording of a judgment issued Tuesday by a panel of federal judges in Philadelphia.

Clark said he had expected the judges to lift a court-ordered stay of the NRC's May 29 order allowing the plant to restart. Instead, the U.S. 3rd Circuit Court of Appeals panel simply "affirmed" the NRC order by a 2-1 vote.

"We don't know exactly what that means," Clark said. "It's our

judgment that the NRC would be able to release us, but they have to make that judgment, of course."

Frank Ingram, an NRC spokesman reached last night at home, said the NRC sent the court a letter late yesterday afternoon "saying that we interpret their decision as dissolving the previously imposed stay" and that "we are proceeding to issue the appropriate papers to allow a restart of TMI Unit 1."

Ingram said he did not know when those papers would reach GPU Nuclear or in what form, but he confirmed that they would be issued unless the court says otherwise.

Clark said he did not agree with an interpretation by Gov. Dick Thornburgh's office that the order would not take effect for three weeks, and that no steps could be taken to restart the plant in the interim.

He conceded that GPU Nuclear expects one or more appeals of the three-judge panel's decision to the full federal appeals court. It was unclear if that could further delay restart.

Clark, who spent part of yes-

See RESTART—Page A4

From Page A1

terday in the TMI-1 control room, said "everyone out there is just anxious to go, delighted that we have another favorable step and hopeful this will turn out to be the final [step]."

Near-operating pressure and temperatures of 530 degrees were reached June 8 at TMI-1 with non-nuclear heat developed by its four giant water pumps. Since then the plant's 915 workers have been training in six shifts, said Douglas Bedell, a plant spokesman.

If the company does receive an NRC go-ahead, Clark gave this scenario of events:

— Henry D. Hukill, director of TMI-1 and a GPU Nuclear vice president, would decide when everything was in place to begin the restart sequence. Hukill, a former commander of Navy nuclear submarines, later held responsibility under Adm. Hyman G. Rickover

for selecting and training all nuclear submarine commanders. He joined GPU Nuclear in June 1980.

— At Hukill's direction, coolant water levels would be raised in the plant's steam generators and in the reactor, taking four to five hours.

— Control rods would be eased out of the uranium-loaded reactor over a period of several hours.

— Levels of boron, an element that absorbs speeding neutrons given off by uranium fuel and helps stop a chain reaction from occurring, would be decreased over eight or nine hours. The reactor would then be allowed to "go critical," an industry term for starting a self-perpetuating nuclear reaction.

The startup schedule for TMI-1 resembles that for a new plant, Clark said. It would reach 12 percent power, when it would start sending out electricity, during the

first week of operation. But it would take 90 to 100 days to reach full power, with monthlong plateaus at 48 percent power and at 75 percent.

Clark warned that "it's typical when you start a plant this large to have minor equipment problems or procedure problems." But he said "we feel we will be prepared to handle the problems which will inevitably arise."

The NRC has already sent more personnel to the site and will monitor the startup closely, Clark said.

The Unit 1 reactor was not damaged in the March 28, 1979, accident that crippled its sister reactor and discharged low levels of radiation. But it has remained in "cold shutdown" for most of the nearly 6½ years since while the NRC and its Atomic Licensing and Safety Board held 155 days of

hearings and collected more than 100,000 pages of evidence on whether TMI-1 should be allowed to restart.

In the meantime, Clark said, GPU Nuclear's parent company, General Public Utilities Corp., has spent \$400 million to \$500 million on staff, new equipment and training at Unit 1.

Replacing the electric power that TMI-1 generated for more than four years has cost the company and its customers an extra \$14 million a month, for a total of more than \$1 billion in added power costs since 1979.

Individual ratepayers would see only a slight cut in their electric bills from the annual \$72 million that restart is expected to save GPU customers, Clark said. But he said the largest industrial customers may save more than \$1 million a year.

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TMI protesters oppose decision

By Wendy Taylor
Patriot-News

About a dozen demonstrators gathered at Three Mile Island's North Gate last night to protest a federal court panel's decision that would allow the restart of the Unit 1 reactor.

State police said they arrested Gene Stilt, 35, of Harrisburg, and Dale Singer, 33, of Lancaster, after they refused to leave the scene.

Each was arraigned before District Justice William G. Heckman on a charge of obstructing a passageway and released on his own recognizance. The charge carries a \$300 fine, police said.

Stilt is a member of Three Mile Island Alert and Singer is a member of the Susquehanna Valley Alliance.

The action last night was part of an anti-restart campaign to get Gov. Dick Thornburgh to remove the Pennsylvania Emergency Management Agency from the emergency response plans drafted by GPU Nuclear Corp., TMI's operator, for protecting the public in the event of a nuclear accident.

Stilt said that if the governor, as its chief officer, pulled PEMA out of the emergency plans, the plant would be "inherently unsafe" and could not reopen.

Stilt said the governor has said repeatedly that he is opposed the restart and called upon him to prove it. "He could technically pull us out," Stilt said. "The question is, does he have the guts to be leader?"

Doug Bedell, spokesman for GPU Nuclear, said he could not comment on what would happen if

the governor took such an action. "We have an approved emergency plan. It's been tested, approved and is in force," he said.

"We expect to demonstrate to the public that the plant is being run the way they want. . . . We will be letting the public know if anything significant happens, but we're hoping they will be viewed in the proper context," Bedell said.

Those opposed to the restart also have asked Dauphin County Commission Chairman Norman P. Hetrick to pull the county out of evacuation plans.

Stilt and Singer held a sign reading "You'd better react before they do" across the North Gate.

When they were asked to leave by GPU security guard Lt. John Enders, Stilt answered, "We are blocking these gates in order to prevent the plant from restarting. Not only out of concern for our lives but those who work here." He then asked Enders help in preventing the restart.

Singer, who also refused to leave the gate, said that he and his wife "are hoping to have healthy children someday if we can stop this plant. They are hurting the public for financial gain."

At noon today a coalition of activists will demonstrate at the Governor's Mansion and ask concerned citizens to call the governor's hot line and tell him to pull PEMA out of the emergency plans.

"We're asking individuals not to cooperate with the emergency plans and to call the governor and tell him they will not participate in GPU's emergency plans," said Stilt.

Restart stay keeps TMI in limbo

By Mick Rood

Patriot-News

A federal court again left Three Mile Island Unit 1's fate hanging yesterday, by continuing a stay on the Nuclear Regulatory Commission's intent to order restart of the reactor.

The 3rd U.S. Circuit Court of Appeals in Philadelphia continued its original June 7 stay on the restart minutes before the NRC planned to issue a go-ahead order in Washington yesterday afternoon. The continuance was issued by Judge Collins Seitz about 3:55 p.m.

NRC attorneys, who had thought a 3rd Circuit three-judge panel's ruling Tuesday against further

review of the case meant the stay was lifted, pulled the restart order before it was to be issued at 4 p.m.

The circuit court action will allow parties opposed to the TMI Unit 1 restart at least two weeks to appeal for a rehearing by the full circuit court. The delay could continue beyond that as the federal judges mulled the appeals.

"We haven't done anything and now we can't," NRC spokesman Frank Ingram said.

Poised to discuss restart procedures with reporters at his Harrisburg media center, GPU Nuclear Corp. officials cut short a briefing. The gradual start-up schedule to achieve full power at Unit 1 in about 100 days would have produced a nuclear chain reaction in the reactor within 12 to 16 hours.

"We of course will abide by the court's action," said GPU Nuclear spokesman Gordon Tomb. "We look forward to an early disposition of the petition so that we can proceed."

GPU spokesman Doug Bedell amplified on that yesterday evening, saying the company was "deeply disappointed."

"The NRC made a finding that we can operate the plant safely and the three-judge [circuit court] panel affirmed that [May 29] order," Bedell said. The plant will remain on hot standby status, which will allow the utility to restart Unit 1 within hours of any future court order lifting the stay.

GPU Nuclear officials had relied on a legal inter-

pretation of the circuit court panel's 2-1 opinion — one that the court had implied the stay was lifted.

In a confusing day of legal maneuvering, parties opposed to the restart filed a flurry of motions with the circuit court, including:

— The state's motion for an emergency stay, which said "the extreme public importance of this matter" required continuance of the stay.

— A Union of Concerned Scientists letter to the court saying an NRC restart order yesterday would constitute contempt of court because the restart stay was never addressed in the circuit court opinion. UCS counsel Elynn Weiss called the NRC and GPU Nuclear

See TMI—Page A2

From Page A1

assumptions "incredibly presumptuous."

— Three Mile Island Alert's motion for the court to clarify the stay situation, which the court did.

Weiss of UCS and attorney Lynne Bernabei of TMIA said they were preparing to file appeals for rehearing en banc — by the full circuit court.

Roland Page, a spokesman for Gov. Dick Thornburgh, was more circumspect about the state's intentions.

"It gives us time to carefully review the court's decision," Page said. "I don't want to overinterpret, but it will be at least two weeks."

Thornburgh was on his way back from New Hampshire, where Northeastern governors were meeting.

"We're delighted," said TMIA's Bernabei. "It means the stay will be in effect pending resolution of the petitions for review."

TMI Unit 1 has not operated since February 1979 when it was shut down for refueling. After the March 28, 1979, accident at TMI Unit 2, the NRC shut down Unit 1 indefinitely until safety improvements GPU Nuclear now contends are complete were in place.

Earlier yesterday, before the stay was continued, Dauphin County commissioners had delayed action on a TMIA proposal that the county withdraw its emergency response plans regarding Unit 1.

Emergency responses are drafted to protect and evacuate people living in the vicinity of a nuclear plant. Such plans are required in order for a utility to hold an operating license from the NRC.

TMIA spokesman Gene Stilt

said there is precedent for such an idea.

This week an NRC panel denied an operating license for the Shoreham nuclear power plant on Long Island, N.Y. The Atomic Safety and Licensing Board refused to grant the license mostly because New York state and the county in which the plant is located refused to participate in emergency planning.

Stilt said he is unsure what the legal ramifications of such a move would be regarding TMI, except that it probably would delay a restart.

If the state or the county would pull out of the emergency plan covering TMI-1, "you would throw an unknown legal roadblock in the way" of restart, Stilt said. "I want you commissioners, and you are our last hope, to put some kind of obstacle in the way of restart."

Commission Chairman Norman P. Hetrick, who noted that the board has long been on the record as opposing restart, said the commissioners would need to talk with attorneys before withdrawing county participation in emergency response planning.

He questioned whether the county, which is "charged with protecting the people," could legally withdraw from the emergency system to block restart. He added that the county emergency management agency has received funds to help prepare against a nuclear incident at TMI.

"I believe we've got to follow the law of the land, and we will not do anything that will jeopardize [our] responsibility in upholding the law. So we cannot give you an answer today," Hetrick said.

Patriot-News staff writer Frank Lynch contributed to this report.

The Patriot, Harrisburg, Pa., Thursday, June 27, 1985

Judges to study TMI-1 restart order

By Mick Rood

Washington Bureau

WASHINGTON — A federal court panel will hear arguments today on the adequacy of the Nuclear Regulatory Commission's May 29 order allowing GPU Nuclear Corp. to renew operation of the Three Mile Island Unit 1 reactor.

In its pre-argument brief filed yesterday with the 3rd U.S. Circuit Court of Appeals in Philadelphia, GPU Nuclear snapped at its detractors for suggesting the company is connected "to alleged wrongdoing of the past."

There have been enough safety hearings and a 100,000-plus page administrative record in the Unit 1 proceeding to vindicate the NRC's judgment that the plant undamaged in the Unit 2 accident six years ago can be operated safely, the utility's lawyers argued.

"TMI-Unit 1 will be operated by a vastly different, much larger and better qualified organization than existed at the time of the TMI-2 accident in 1979," the utility said.

A three-judge panel today could throw out petitions insisting more safety hearings were

promised by the NRC and required by federal law. Or it could agree with the Commonwealth of Pennsylvania, Three Mile Island Alert, the Union of Concerned Scientists and Norman and Marjorie Aamodt of Coatesville that more hearings are needed.

If the court sides with the intervenors, the next decision would be whether to lift the stay on the NRC's restart approval order while the case is being tried.

GPU Nuclear lawyers singled out Three Mile Island Alert's arguments for special attention of the court.

"TMIA's practice is particularly egregious when it argues that current TMI-1 management is somehow linked to alleged wrongdoing of the past," GPU Nuclear said.

GPU Nuclear said the midstate anti-nuclear group used in its brief "misrepresentations of fact," "distortions of the record," "attempts to mislead by omission," and "arguments as fact."

Utility lawyers gave the court 10 examples. In one, GPU Nuclear noted the NRC had rejected the removal of utility officials for responsibility in the 1978-79 leak rate falsification case. GPU Nuclear

ar's predecessor, Metropolitan Edison Co., pleaded guilty to criminal misconduct in 1984.

TMIA referred to the utility officials as "similarly involved in misconduct," the utility told the court, when there has never been direct evidence incriminating General Public Utilities Chairman William Kuhns, President Herman Dieckamp, or managers Michael Ross and Brian Mehler.

Both the U.S. attorney who handled the leak rate case and the NRC cleared the four from any wrongdoing in the falsification of reports to the NRC. The state, TMIA and UCS want hearings on the connection between GPU Nuclear management and the falsifications — hearings the NRC precluded in February.

As for other GPU Nuclear personnel the NRC plans to investigate later for involvement in falsifying the reports, the utility said:

"The NRC declined to reopen the record because none of the personnel who could have been involved in the falsification will have any significant role in the future operation of TMI-1 and because procedural and organizational changes preclude this from happening at TMI-Unit 1 in the future."

order

GAO concludes NRC's plan for nuclear plant safety lags

By Mick Rood
Washington Bureau

WASHINGTON — If you think progress on the Three Mile Island Unit 2 nuclear accident cleanup and the Unit 1 restart decision has been slow, don't worry, the problem isn't endemic.

The General Accounting Office has concluded the Nuclear Regulatory Commission's "Action Plan" for making nuclear plant improvements nationwide based on TMI accident lessons learned, is, well, behind schedule.

In a survey answered by 31 utilities running 54 nuclear plants, the GAO said all safety tasks wouldn't be completed until 1989 when they were supposed to be done by now.

By then, those utilities estimated they would spend \$1.7 billion on TMI-related backfitting and personnel improvements, or more than \$32 million per plant.

The NRC quibbles with some of the GAO report numbers and

denies it has downgraded monitoring of the Action Plan. GAO still thinks the NRC ought to give Congress a one-time full accounting of how well utilities have complied.

Although utility executives spend a lot of their time lobbying against what they regard to be needlessly elaborate NRC safety regulations, the GAO-surveyed utilities said only about one-fourth of the 176 different TMI Action Plan requirements were unnecessary.

The Patriot, Harrisburg, Pa., Tuesday, July 30, 1985

TMI feedwater rated low in reliability

By Mick Rood
Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission staff has classified Three Mile Island's Unit 1 emergency feedwater system as having "low" reliability, NRC Chairman Nuzzo Palladino has told an inquiring congressman.

Rep. Edward Markey, D-Mass., had asked the NRC to rank feedwater systems of Babcock & Wilcox-designed reactors in the wake of the June 9 accident at Davis Besse-Unit 1 in Ohio. Steam generators at the Ohio plant were boiled dry during the accident, which Markey has

called one of the worst since the one at TMI-Unit 2 six years ago.

An NRC special investigation team concluded last week that poor management by Toledo Edison Co. led to the accident, but the team also suggested basic design problems with B&W plants.

The NRC staff estimated that three B&W plants — Davis Besse-1, TMI-1 and Arkansas-1 — had emergency feedwater systems with low reliability. Under that ranking, the feedwater system could be expected to fail one in 1,000 times. Five other B&W plants were ranked as having "medium" reliability, well within NRC safety goals.

GPU Nuclear spokesman Doug Bedell said GPU Nuclear plans to make improvements on the feedwater system, raising it to the medium category used by the NRC staff, during the first refueling after a Unit 1 restart.

The NRC granted GPU permission to restart Unit 1 May 29, but the order was challenged in the U.S. Third Circuit Court of Appeals by intervenors in the restart case. A decision is pending.

Markey said Palladino acknowledged B&W feedwater systems, which are relied upon to remove heat from the plant's primary system,

See TMI—Page A2

TMI errs on waste sent west

By Mick Rood
Washington Bureau

WASHINGTON — Three barrels of low-level radioactive waste shipped to Washington state last month from Three Mile Island in Pennsylvania have been ordered sent back across the country.

Mislabeling of the barrels prompted the order and the suspension of GPU Nuclear Corp.'s permit to bury contaminated TMI materials at the Hanford Waste Management Facility in central Washington.

The Washington Department of Social and Health Services suspended the GPU Nuclear permit Tuesday after three barrels in a 104-barrel shipment from TMI Unit 2 last month were found to contain more radiation than the utility had classified them as holding.

Nancy Kirner, supervisor of the department's radiation control section, said yesterday the suspension will last one week. It could be lifted Tuesday when GPU Nuclear officials meet with her to outline the utility's shipment procedures, Kirner said.

The Washington's state Health Department ordered the three barrels shipped back to TMI to be repackaged and relabeled. Both GPU officials and Kirner said the barrels met shipping requirements and presented no hazard.

However, the misclassification of the three barrels' contents could have been a long-term safety prob-

from Page A1

do not meet NRC safety standards set in the mid-1970s when the B&W systems were already built or being built. Palladino told Markey the plants met standards in place at the time and were, in effect, grandfathered in.

"As the result of this voodoo regulation," Markey said in a statement released by his office yesterday, "the NRC has admitted a key safety system is of low reliability."

To publicize the problem, Three Mile Island Alert, an intervenor in the TMI-Unit 1 restart case, issued a release yesterday noting the NRC's "low" ranking of the TMI Unit emergency feedwater system.

The NRC safety goal, generally, is to require systems projected to fail only once in every 10,000 initiations.

Bedell said the utility is "puzzled" by the low ranking and will explore it with the NRC staff.

Bedell made two other points:

— That the TMI emergency feedwater system is different in several basic design respects from the Ohio unit, and "we believe the Davis Besse accident wouldn't have occurred at TMI-Unit 1."

— That TMI seemed to equate an accident involving the loss of feedwater capacity with a radiation-releasing core melt, something that does not necessarily follow.

The Union of the Concerned Scientists long contended during the TMI-Unit 1 restart proceedings that the plant's emergency feedwater system and its backup system were highly susceptible to failure and unplanned releases of radiation.

But when the commission approved restart of Unit 1 in late May, it rejected UCS contentions, despite an NRC appeals board's conclusion in 1983 that the NRC staff had failed to verify safety of the system. Noting that, Bedell said feedwater reliability at TMI-Unit 1 in Londonderry Twp. has been litigated.

"GPUN is strengthening its system to assure the proper classification of low-level radioactive wastes from Three Mile Island," the company said. GPU Nuclear noted, and Washington state officials confirmed, that "the shipment met all transportation criteria and posed no threat to workers or the public at TMI or along the shipping route."

The entire 104-barrel ship-

ment, which left TMI Unit 2 on July 14 and arrived at Hanford on July 23, was labeled "Class A" low-level waste by GPU Nuclear personnel. The Class A waste limit is .008 curies of strontium 90. Hanford officials found the three barrels contained strontium 90 above that limit — one as high as .012 curies. Those barrels should have been labeled "Class B" low-level waste.

Class A waste is normally buried in the 55-gallon drums in which it is shipped. More precautions are required to isolate Class B waste for burial.

GPU Nuclear spokesman Doug Bedell explained that the company's radiation engineering department correctly analyzed the three barrels of piping from the TMI Unit 2 water-processing system as Class B waste. But a shipping employee misread the analysis, did his own analysis and mislabeled the barrels as Class A waste, Bedell said.

The shipping employee erred in his analysis because sand in the barrel partially shielded the strontium 90 on the piping and lowered the detected level of radioactivity, Bedell said.

Washington state suspended GPU Nuclear's burial permit for 13 days in 1982 when the lid on a waste barrel from TMI popped off.

The Patriot, Harrisburg, Pa., Wednesday, July 17, 1985

County court gets TMI suit over higher electricity bills

By Mary Warner
Patriot-News

A 1981 class-action suit seeking recovery of higher electricity costs due to the Three Mile Island accident has ended up in Dauphin County Court, two years after a federal judge ruled for the defendants.

The suit was transferred to county court because appellate judges ruled last year that U.S. Middle District Court did not have jurisdiction when it granted summary judgment for the defendants in August 1983.

The suit names 18 people and 10 businesses as plaintiffs and seeks certification as a class action representing other electricity consumers who have paid higher bills

because of the 1979 accident at the Londonderry Twp. nuclear plant.

The plaintiffs are from New Jersey and from Pennsylvania cities and towns more than 25 miles from the plant. Residents within 25 miles of the plant were covered under a \$25 million class-action settlement in 1981 for economic losses due to the accident.

The suit was filed by attorney Lee Swartz, who has filed many of the recent personal injury claims resulting from the TMI accident.

The suit says TMI owner General Public Utilities Corp. and its subsidiaries have incurred substantial expenses because of the accident and that public utility commissions in Pennsylvania and New Jersey ruled that some of

those costs could be passed on to consumers.

The plaintiffs' electric bills were "substantially higher" because of the accident caused by the defendants' negligence, so they owe damages for that economic loss, the suit says.

The suit was filed in federal court in March 1981 and was assigned to U.S. Magistrate J. Andrew Smyser, who ruled that lawfully ordered rate increases cannot be undone through the courts and recommended summary judgment for the defendants. Federal Judge Sylvia Rambo adopted Smyser's report and followed his recommendation.

The plaintiffs appealed to the U.S. 3rd Circuit Court of Appeals, which did not consider the issues in the suit but ruled that federal courts had no jurisdiction over it. The defendants sought review by the U.S. Supreme Court but were denied, so the plaintiffs asked the federal court here to transfer the suit to county court.

Plaintiffs in the suit are Donald A. Stibitz of Reading; Cumberland Woodcraft Company Inc. of Carlisle; Forget-Me-Not Inc. and Larry Welker Ford Inc., both of Shippenburg; FMG Investments Inc.,

Gettysburg Tours Inc., Heritage Inns Inc. and L.E. Smith Wholesale Distributor Inc., all of Gettysburg.

Also, Richard and Shirley A. Baade, Albert C. and M. Isabel George and New Freedom Lumber Co., all of New Freedom, York County; Victor Hebel and P.G. Engineering of Stewartstown, York

County; Dorothy S. Hostetter of McSherrystown, Adams County; J.L. Richard and Linda Harner of Hanover, York County; James and Diane Barron and Margaret M. Jonas of Dingmans Ferry, Pike County; Dr. Maxine C. Bush of Mehoopany, Wyoming County.

Also, the Rev. Alva Tompkins

of Tunkhannock, Wyoming County; Musette Duggan of Sayre, Bradford County; Wels I. Zimmerman of Lewistown, Mifflin County; Pocono Business Furniture Inc. of Stroudsburg, Monroe County; Harry Wallach of Long Beach, N.J.; and Stephen M. Young of Mine Hill, N.J.

The Patriot, Harrisburg, Pa., Friday, July 26, 1985

Valve error laid to GPU

By Mick Rood
Washington Bureau

WASHINGTON — GPU Nuclear Corp. has been cited with what the U.S. Nuclear Regulatory Commission staff called a minor safety violation during the Three Mile Island Unit 1 start-up program, according to an NRC report issued this week.

The violation occurred June 7, the day the 3rd U.S. Circuit Court of Appeals blocked an NRC order that would have allowed GPU Nuclear to restart Unit 1 after a six-year shutdown. The court, which heard arguments challenging the NRC restart approval on June 27, has yet to decide whether to lift its decision.

A valve on one of 12 reactor coolant pumps at TMI Unit 1 was mistakenly left closed, a condition that could have caused damage to pump seals during normal operation, NRC inspectors said.

The seals are important, inspectors explained in a report released Wednesday, because they serve as a "boundary" to keep radioactive water out of the secondary cooling system.

William F. Kane, director of the NRC's TMI Unit 1 restart staff, said GPU Nuclear was cited with a violation, but will not have to respond because the company "took immediate corrective action" and took measures "to prevent recurrence."

Kane noted in his report that overall findings from the special inspection were "generally favorable" about the utility's restart preparations.

On the agency's scale of 1 to 5, 1 being the most serious incident, the TMI Unit 1 violation was ranked a Level 4 citation, which does not carry with it imposition of a fine.

The violation was noted by an NRC inspector participating in a

-The Patriot, Harrisburg, Pa., Friday, June 21, 1985

NRC reverses its view on citizens' panel

By Mick Rood
Washington Bureau

WASHINGTON — Reversing its previous inclinations, the Nuclear Regulatory Commission agreed yesterday in principle to let its citizens' advisory panel serve as a "conduit" to the public on radiation health effects from the Three Mile Island Unit 2 accident.

NRC Chairman Nunnzio Palladino said the commission would order within a month that the Advisory Panel for the Decontamination of TMI Unit 2 be allowed to provide a forum at its

meetings for interpretation of various ongoing health studies.

A commission majority had indicated in March that the 12-member panel of technical and lay people was straying from its appointed mission to monitor progress of the Unit 2 accident cleanup.

But panel Chairman Arthur Morris, mayor of Lancaster, insisted yesterday that the panel unanimously favors calling in experts on TMI Unit 2 accident health effects. Public confusion over publicity about some of the health studies

has abounded, according to panel member Joseph Dinunno, and no other group was assisting in the understanding of it.

"Without interpretation of these studies, which are they to believe?" Dinunno asked.

Morris and other panel members assured Commissioner Lando Zech that the group wouldn't become "sidetracked" by controversial health effects issues.

The panel also reassured Commissioner Frederick Bernthal, who said "you can't afford to have your impartiality questioned." The panel

shouldn't "be identified with one school of thought or another" if "very opinionated people on this topic" appear at meetings.

"It's not a big concern," said panel member Thomas Cochran. "At most of our meetings we hear from the NRC and GPU (Nuclear the TMI operator), and it hasn't seemed to rub off on us."

Panel Chairman Morris said he hoped the commission would approve the change before the advisory panel's next meeting in Harrisburg on July 18. Palladino said the NRC would try to do that.

special safety check the NRC conducted at Unit 1 between May 31 and June 28.

GPU Nuclear spokesman Doug Bedell said yesterday that a maintenance employee had shut off the pump valve while conducting a required test and forgot to open the valve when he was done.

"The maintenance people have been critiqued and instructed," Bedell said.

Company officials had predicted during a June 6 news conference that "minor" problems would occur, which is one reason a gradual, three-month start-up program has been planned, Bedell said.

Joanne Doroshow, an attorney representing the restart intervenor group Three Mile Island Alert, had a different view.

"It goes to show that after all this time the company cannot operate this plant competently. They never mentioned in their press releases since June 7 that they were cited with a violation. It's another indication of downplaying problems at the plant," Doroshow said.

-The Patriot,

Wednesday, August 14, 1985

Anti-TMI group vows to stall on paying electric bills

YORK — A small but determined group of anti-nuclear activists is planning a non-cooperation campaign to voice their opposition to the restart of the Three Mile Island Unit 1 reactor.

The campaign will consist of withholding payment on electric bills, conserving electricity and spreading word of the campaign to friends and neighbors.

The campaign was outlined last night to a group of nine people from the York, Harrisburg and Lancaster areas at a Project David regional meeting at West Manchester Mall.

Project David is a coalition of local groups and individuals opposed to the restart of TMI.

Bill Kelsling, a Project David leader from Harrisburg, said people should withhold payment of their electric bills and make the utilities collect them.

"Keep your payment with the bill by your door," he said. "By law, the utility must come to your door and ask for your payment before shutting off your electricity."

The Patriot, Harrisburg, Pa., Thursday, July 18, 1985—D3

TMI fuel removal delayed

Associated Press

The removal of fuel from the damaged reactor at Three Mile Island is likely to be delayed several weeks because of the late shipment of needed equipment, officials at the nuclear plant said yesterday.

The process now is expected to start in October instead of September, according to GPU Nuclear Corp., operator of the Londonderry Twp. plant.

The equipment includes canisters that will be loaded with core debris from TMI's Unit 2 and metal racks that will be used to store the canisters prior to shipment.

Deficiencies in the equipment supplier's record keeping have required GPU Nuclear to do extra work to verify equipment quality, the plant operator said. Production problems also have slowed construction of the equipment, GPU Nuclear said.

3

Sunday Patriot-News, Harrisburg, Pa., July 21, 1985

Agency summary contradicts TMI illness claims

By Christopher Quinn
Sunday Patriot-News

While hundreds of area residents are claiming in Dauphin County Court that the 1979 accident at Three Mile Island caused illnesses, a federal agency's summary of medical studies finds the contrary.

The staff of the U.S. Nuclear Regulatory Commission recently compiled the results of six years of studies on the accident's effects on the health of people living near TMI.

The findings of those studies — published individually as they were completed — show when viewed together that the accident had no lasting effect on the health of area residents.

THE NRC STAFF has recommended ending NRC-funded TMI health studies and is awaiting a commission ruling. TMI opponents claim existing studies are faulty and new ones are needed.

The studies find that there were no significant changes in pregnancies, men-

tal health, the number of children born with congenital defects and the number of infant deaths after the accident — a heart-meltdown of the TMI Unit 2 reactor.

But lawsuits filed in Dauphin County Court since February claim the accident left more than 900 people with cancer and other sometimes-fatal diseases. The lawsuits are pending.

THE COMPLETED and ongoing studies are summarized here.

✓ A pregnancy outcome study sponsored by the state Health Department to determine whether the accident affected pregnancies near TMI found it did not.

About 4,000 women who gave birth in the year after the accident and another 4,000 who gave birth in the second year after the accident were surveyed. The incidences of infant deaths, birth defects and premature births were the same in each group, the study found.

The women and children will be surveyed every five years.

✓ Another study involving infants was sponsored by the Health Department

to determine if children living in a 10-mile radius of TMI suffered from hypothyroidism, a condition of sluggishness that can be caused by radioactive iodine.

✓ In the year after the accident, the survey found only one incidence of the condition in 4,000 infants, which the study said was normal.

The study said seven cases of the condition were found in Lancaster County in 1979, but concluded that those cases were not caused by the accident.

✓ The Western Psychiatric Research Institute sponsored a study to determine if the accident affected the mental health of TMI employees, mothers with small children, and patients at mental health clinics.

The study found that the mothers had an "excess risk" of anxiety and depression during the year after the accident. The TMI workers and mental patients were not affected.

✓ The state Health Department conducts an annual survey on infant death in the 10-mile TMI radius and has found the accident had no impact on the number of such deaths.

✓ Pennsylvania State University and the NRC sponsored a study to determine how much money the accident cost area residents and communities in health care bills.

The study found that in the 10 months after the accident in a five-mile TMI radius, health-related changes in behaviors cost \$178,419. Days lost from work and visits to doctors made up the bulk of the cost. The study also found increased buying of alcohol, tranquilizers and cigarettes.

✓ A study to determine whether the accident caused people to move from the area found that the number of people who moved before and after the accident remained the same.

However, 15 percent of the people who moved out of the five-mile TMI radius in the year after the crisis said TMI was the main reason they moved.

✓ The state Health Department set out to determine how people living near TMI reacted to the accident. The study, completed in 1981, found that the major impact of the accident came during the

two weeks following it.

THE PEOPLE most distressed by the accidents were younger, educated, married or female, the study showed. People living within 15 miles of the plant suffered more stress than those farther away. The use of sleeping pills and other tranquilizers to deal with stress increased for some people, and the anxiety experienced during the accident fell off sharply after 18 months.

Other studies are under way. The state Health Department is looking at the rates of cancer and cancer deaths in residents living within five, 10 and 20 miles of TMI, and the TMI Public Health Fund is sponsoring a separate cancer study.

The Health Department, along with the Pennsylvania Emergency Management Agency and the NRC, is compiling health information on people living within 20 miles of six nuclear plants in the state. Their findings will be compared to surveys of people living in six other Pennsylvania areas without nuclear plants.

Sunday Patriot-News, Harrisburg, Pa., September 1, 1985

N-personnel coached on deception, lawmaker says

By Mick Rood
Washington Bureau

WASHINGTON — A Maryland contractor in November 1983 coached GPU Nuclear Corp. personnel on how to "put one over" on Nuclear Regulatory Commission inspectors, a congressman charged yesterday.

Edward Markey, D-Mass., released 14 pages of course material used by General Physics Corp. of Columbia, Md., in which GPU Nuclear employees who took a course conducted by General Physics were advised how to "interact" with the NRC on containment systems leak-testing programs.

GPU Nuclear said the material is "inconsistent" with the utility's rule that employees be "fully open" with the NRC. General Physics said the material Markey objects to was dropped from a later course for another utility.

BUT in a letter to NRC Chairman Nunnzio Palladino, Markey said the "prescriptive" language in the course material should be investigated for its effect on GPU Nuclear management integrity and on the

federal contract status of General Physics. The Maryland firm has been awarded \$500,000 worth of NRC contracts in the last four years.

GPU Nuclear operates the Three Mile Island Nuclear Generating Station in Londonderry Twp. near Middletown, Pa., and the Oyster Creek nuclear plant in New Jersey. Oyster Creek spokesman John Fidler said 17 engineers, all from the New Jersey plant, also took the course.

Jay Whitney, vice president and chief executive officer of General Physics, said the guidance offered in the course material was reviewed and removed after one of the Oyster Creek engineers objected to its content.

AT ONE POINT, under a subtopic titled "Interactions with the NRC," the General Physics course outline asked: "Should the utility inform the NRC of contemplated [leak-testing] program changes?"

The answer suggested in the course outline was, "This is debatable." Alerting the NRC "opens up utility for comments and second thoughts," whereas "springing changes on NRC has benefit of surprise," the material said.

The course outline also advised engineers to per-

form demonstration tests for NRC inspectors on "an 'easy' valve which has traditionally not been a 'problem' leader."

ON THE NEXT page, the General Physics outline said the "traditional industry approach" had been not to tell the NRC when a leak test had failed "since some smooth talkers have managed to get out of failures."

Below that description was the disclaimer that "discussion of the above experience should in no way indicate endorsement of any of these observed approaches."

Despite the disclaimer and subsequent deletion of the material, Markey told Palladino: "While I am sure you would agree that GPU has been in need of help in this area, clearly this is not the type of assistance that the only nuclear utility [TMI] ever indicted and convicted of criminal charges needs."

METROPOLITAN EDISON Co., the predecessor to GPU Nuclear Corp. at TMI, had pleaded guilty to one count of keeping falsified water leak-rate records and no contest to six other counts of falsifying leak tests at Three Mile Island Unit 2 in February 1984.

It may be no coincidence, Markey told Palladino, that the NRC recently issued a notice to all utilities that licensees were not properly performing containment leak-rate tests.

Whitney said he had been contacted by the NRC Office of Inspection and Enforcement last week about the course material referred to by Markey. Whitney brought the NRC up to date about deletion of the material from the course, but has heard nothing further, he said.

"On balance, the course counsels cooperation with the NRC and describes how to fulfill the public health and safety goals. Portions of the course gave the impression that we're counseling counter to that theme," Whitney said.

"WE'RE NOT IN the business to counsel to deceive [the NRC]," he said. "I understand how it could be taken that way."

Whitney noted that Markey had released only 14 pages out of 350 in the course. Fidler said the course material excerpted "is inconsistent with well-established company policy and training, which requires all of our employees to be fully open with the NRC."

66 found guilty in demonstration at TMI plant gate

By Frank Lynch
Patriot-News

With the pound of his gavel in a makeshift courtroom, District Justice William Heckman yesterday found 66 men and women guilty of blocking a gate to Three Mile Island on May 29.

Some of the defendants at the hearing, which lasted more than four hours in the Middletown Area High School auditorium, stormed angrily from their seats and out the door after the verdicts were announced. Others surrounded Heckman, continuing to argue the merits of their cases.

"We've been robbed. What can I say?" said Brian D. Hunt, one of 81 people arrested the day Nuclear Regulatory Commission members voted 4-1 to lift orders that had kept TMI Unit 1 shut down for six years.

That order has been stayed by the 3rd U.S. Circuit Court of Appeals, and parties to the restart proceedings have argued for and against the need for more health, safety and management integrity issues. A decision by the three-judge panel is pending.

The defendants yesterday did not dispute that blocking TMI's North Gate was an illegal obstruction of a highway or other passageway. But they said they were justified in doing so because they believed their actions were less harmful than operation of the nuclear reactor.

William Tully, Dauphin County assistant district attorney, argued that their defense, although well established in case law, does not apply because the defendants

had legal remedies available to them short of blocking the gate.

A year ago, five people were issued summonses for blocking the TMI gate, and they presented Heckman with the same "justification" defense. But Heckman found the protesters innocent that time.

"No, they're the same group of people," Heckman said when asked if last year's group had any different defense than the defendants had yesterday. "They [last year's protesters] wanted to go to jail, and I didn't want them to," he said.

After issuing his verdicts, Heckman indicated that if the protesters had exhausted every possible legal recourse before blocking the gate, he might have ruled differently. Asked later if that was what he really meant, he said, "No comment."

Those convicted were ordered to pay \$73.50 in fines and costs. Heckman said 11 of those arrested already had pleaded guilty or no contest.

Nine defendants addressed the court yesterday. Some complained that there were shortcomings at the TMI plant and in its management by General Public Utilities Corp. Others told about personal experiences involving the March 1979 TMI accident.

Susan L. Rudy, in an emotional presentation, talked about the death of her infant son to cancer. "I watched him go through that. I wouldn't want anybody else to go through that," said Rudy, who lives in Harrisburg. "I want my whole family intact."

See TMI—Page B2

From Page B1

The defendants argued that their actions on May 29 were not only justified, but carried out peacefully and with the cooperation of police. Tully turned that around to say that since the demonstration was planned — even before the NRC vote was conducted — it could not have been construed as an attempt to stop the "imminent" start-up of TMI-1. "That [the planning] takes away immine[n]ce," he said.

The dispute "is not what happened at the North Gate, but whether they [did] deliberately and pre-meditatedly break the law for the sake of breaking the law," Tully said. He argued further that "they were not there to stop TMI, but to bring about greater public awareness."

"These people have gotten what they wanted. They've gotten publicity; they've gotten their day in court. It's time for them to pay their dues," he said.

But Michael Horgan of Harrisburg said the defendants, at the time they marched to the gate, did not know a federal judge would issue an injunction within 10 days of the restart vote.

"If two cars are heading toward each other down a road, when do you swerve? When is it too late? We thought it was our final calling," Horgan said. "We thought it was time."

Those found guilty yesterday were:

Herbert E. Mertz, 36, of Pequea; John S. Adams Jr., 35, of Allrville; Linda K. Trego, 41, of Elizabethtown; Beth Ann Fine, 28, of the 500 block of 3rd Street.

Chaele S. Good, 28, of Lancaster; and Nancy C. Benson, 33, of Millersburg.

Also: Robert W. Colman, 45, of Middletown; Nancy J. McVey, 29, of Lancaster; Ronald L. Davis, 39, of Millersville; Timothy P. Hamer, 24, of the 1000 block of Huron Drive, Harrisburg; Janice M. Royer, 34, of Lebanon; Philip Trimble, 39, of Little; Sandra J. Chroma, 26, of the 2700 block of Green Street, Harrisburg; Jonathan H. Hooper, 33, of the 200 block of Verbeke Street, Harrisburg; Bonnie M.B. Leed, 29, of Conestoga; Julie K. Hoskins, 29, of the 400 block of Geary Street, Harrisburg; and Karen M. Stilt, 32, of Newburg.

Also: Daniel M. Welliver, 28, of the 200 block of Emerald Street, Harrisburg; Joyce Ann Corradi, 46, of Middletown; Barbara M. Schoenfeld, 32, of the 3700 block of Derry Street, Harrisburg; Raymond T. Martin, 30, of the 100 block of Penn Street, Harrisburg; Cynthia Y. Pettigall, 27, of the 200 block of Verbeke Street, Harrisburg; Elizabeth M. Chavez, 61, of Middletown; Jean A. Fix, 54, of York; Maure E. Fitzpatrick, 28, of the 100 block of Hunter Road, Harrisburg; and David F. Shall, 39, of the 3300 block of Second Street, Harrisburg.

Also: Vera L. Stuchinski, 30, of the 500 block of Antoine Street, Harrisburg; Leonard Raquozes, 38, of Millersville; Ronald L. Hevener, 34, of Little; Robert E. Payson, 52, of Lancaster; Linda L. Rannels, 38, of Mount Joy; Marjorie A. Clement, 47, of the 100 block of Walton Street, Lemoyne; Toni S. West, 28, of Lancaster; Kirsten Moss, 42, of the 1600 block of Whitehall Street, Harrisburg; and Joan W. Hamm, 56, of the 100 block of Sylvan Terrace, Harrisburg.

Also: Kathy I. Everitt, 43, of Lancaster; Dale E. Singer, 32, of Lancaster; Erma J. Weaver, 37, of Landisville; Michael B. Musser, 33, of Lancaster; Roxanne L. Harpster, 26, of the 200 block of Emerald Street; John M. Disanto, 23, of the 1200 block of Colonial Road, Harrisburg; Scott E. Martin, 27, of Elizabethtown; Richard D. Kushner, 27, of the 200 block of Montrose Street, Harrisburg; Eric J. Epstein, 25, of Liverpool; Judy A. Richard, 34, of York; and Brian D. Hunt, 33, of Snow, Okla.

Also: Susan L. Rudy, 32, of the 380 block of Verbeke Street, Harrisburg; Mary Margaret G. Conway, 49, of York; Lauren M. Taylor, 26, of the 2100 block of North Fourth Street, Harrisburg; Sean D. Downey, 36, of Lancaster; Frank D. Davis, 59, of Mechanicsburg; Matthew C. Dodd, 36, of Merysville; Donna L. Bowman, 36, of York; and Maure Cowen, 25.

Restart protesters turn to governor

By Tony Perry
Patriot-News



Hochendoner speaks at rally
From Page A1

what he should do."

"We are looking for three specific things," said Gene Stilt, a member of TMIA, in front of the mansion on North Second Street.

"We want the governor to ask the court for an immediate stay of the decision, ask the court for an immediate appeal of the decision, and tell PEMA [the Pennsylvania Emergency Management Agency] to not cooperate with emergency evacuation plans."

Stilt, who was one of two protesters arrested Tuesday night during a demonstration at TMI's north gate, said the governor should "exercise his duty and prevent a disaster."

Earlier yesterday, Dauphin County Commissioner Lawrence J. Hochendoner called Tuesday's decision by the U.S. 3rd Circuit Court of Appeals "the second disaster at Three Mile Island."

In a prepared statement, Hochendoner said the ruling means "our people can only hope that nothing goes wrong at TMI. . . . No one can say that the people of central Pennsylvania and their leaders failed the system. Rather, the system failed us."

Stilt said restart opponents plan to attend today's meeting of the county commissioners to ask that the county pull out of evacuation plans.

But Hochendoner questioned whether such action would be anything more than a superficial solution to the problem. "We've al-

Nearly 30 men, women and children demonstrated on two sides of the governor's mansion yesterday, calling for a "true friend in Pennsylvania."

They asked Gov. Dick Thornburgh to help prevent restart of Three Mile Island Unit 1. A federal appeals court panel Tuesday opened the way for restart by refusing to review a May 29 order by the Nuclear Regulatory Commission.

On the Front Street side of the mansion, several families held a large banner reading "Gov. Thornburgh, prove that we have a friend in Pennsylvania. Block the restart of TMI."

"What we want is for him to take a leadership role in this state, a firm leadership role," said city resident Louise Bradford, who has represented Three Mile Island Alert since 1980. "Whatever it would take to keep it closed, that's

See PROTESTERS—Page A4

ready naq too many cosmetic reactions" to the Unit 1 restart question, he said.

"I do not have confidence in that plan," he said, "but I think the issue is better addressed from a state level."

Hochendoner said a possible solution would be to press for legislative changes in the NRC's structure to allow local communities to hold a binding referendum about a possible nuclear power facility nearby.

The Patriot, Harrisburg, Pa., Thursday, August 8, 1985—

TMI effects

EDITOR:

ON JULY 21 the Patriot published an article summarizing the Nuclear Regulatory Commission staff report presented to the Three Mile Island Advisory Panel on Decontamination. The report recommends ending NRC-funded TMI health studies and contends that the 1979 accident produced no lasting effect on the health of area residents.

Health effects resulting from the accident have been documented and are still showing up. Studies done to date have only looked at immediate health effects. The effects of radiation exposure may be seen immediately with very high doses, but the NRC has not considered the available data. Following the accident, a number of area residents had reported skin burns, a metallic taste, vomiting, hair loss and other symptoms indicative of higher doses of radiation than the NRC recognizes in their health studies.

However, the effects of cancers from high or low doses of radiation may not be seen for five to 20 or more years following radiation exposure. Dr. John Gofman, who helped to isolate the world's first plutonium, has concurred with other experts in stating that "there never was, and there is not now, any evidence of a 'safe' amount of radiation."

According to a 1984 study commissioned by the TMI Public Health Fund, Dr. Jan Beyea concluded that "significant issues remain unresolved — issues that might bear on the ultimate health effects projected to occur as a result of the accident." Dr. Beyea reviewed hundreds of reports on the accident and found that conclusive evidence has not established just how much radiation was received by area residents.

On the day of the accident,

the vent stack monitor at Unit 2 went off-scale and was unable to record radiation releases. Researchers used a variety of methods to estimate doses, but disagree on the figures. Dose assessments range from 276 to 63,000 person-rem (a measurement used to determine the amount of radiation delivered to a population).

Because of the inconclusive research done to date, Dr. Beyea has proposed a total of 16 projects to the TMI Public Health Fund in order to develop conclusive, reliable information on radiation exposure.

In addition to the need to determine radiation doses, ongoing studies are needed to monitor the health effects. Columbia University has recently been funded by the TMI Public Health Fund to complete two studies. One study will determine the rates of adverse pregnancy outcome among TMI residents — before, during and after the accident. The second study will look for patterns of childhood and adult cancers in the TMI region.

The state Health Department, the Census Bureau and the Center for Disease Control are conducting ongoing studies. A report was to be released this spring by Dr. George Tokuhata of the Pennsylvania Department of Health. To date, this report has not yet been released.

By recommending no further health studies, the NRC has once again shown that its commitment lies not with protecting public health and safety, but with protecting GPU Nuclear and promoting the restart of TMI Unit 1. The NRC must recognize the validity of ongoing and future health-effect studies in order to address the questions that remain to be answered. To do less, only re-emphasizes the irresponsibility of the commissioners' restart order of May 29.

—Vera L. Stuchinski,
Harrisburg

The writer is chairperson of Three Mile Island Alert.

The Patriot, Harrisburg, Pa., Friday, June 28, 1985—

TMI: Judges study testimony in appeal on Unit 1 restart

By Mick Rood
Washington Bureau

PHILADELPHIA — A panel of three federal judges yesterday took "under advisement" pleas by lawyers for the state and anti-nuclear groups to block restart of Three Mile Island Unit 1.

Until the 3rd U.S. Circuit Court of Appeals acts, its stay of the Nuclear Regulatory Commission's May 29 order to restart the plant's undamaged reactor remains in place.

About 150 people crowded the largest available courtroom of the circuit court as the judges heard nearly two hours of oral arguments by six lawyers.

The state, Three Mile Island Alert, the Union of Concerned Scientists and Norman and Majoria Aamodt asked the court to order the NRC to conduct more hearings on the operator's integrity before the reactor is again allowed to produce electricity at TMI in London-derry Twp.

The NRC and plant operator GPU Nuclear Corp. asked the court to dismiss the appeal, saying the NRC already has thoroughly examined management's ability to run the reactor.

Afterward, Presiding Judge Collins J. Seitz said only that the issue would be taken "under advisement."

Arguments centered on:

— The NRC decision in February not to allow further licensing board hearings, a move that specifically dropped scheduled hearings on GPU Nuclear Corp. management involvement in leak-rate falsification at Unit 2 in 1978-79.

— Whether the NRC's restart "conditions" to exclude from Unit 1 duty personnel potentially involved in the leak-rate rigging constitutes an operating license amendment that requires a board hearing.

Commonwealth attorney Thomas D. Rees said the state insists on leak-rate hearings because the reporting of coolant inventory is "very crucial to the safety operations of a nuclear plant."

Metropolitan Edison Co., which preceded GPU Nuclear as TMI operator, pleaded guilty as a company to criminal misconduct in 1984 — the only utility to be convicted under the Atomic Energy Act.

The parties argued that hearings were necessary and should not have been left to the judgment of former U.S. Attorney David Dant Queen.

Queen, in what NRC Solicitor William H. Briggs called an "unusual statement," exonerated 24 TMI managers (but left it open that others were implicated when Met-Ed pleaded guilty).

Judge Walter K. Stapleton was openly skeptical of the call for

more hearings. He told Rees "there never was a lawyer that didn't think of some ammunition" after the fact. Isn't the 5-year-old TMI case "just a case where there's some newly discovered evidence . . . a case where you have to decide enough is enough?" Stapleton asked.

Rees said if the safety implications of the leak case had been "fully dealt with, chances are significantly less that we would be here today."

Attorneys Lynne Bernabel of TMIA and Elynn Weiss of the UCS tried to convince the judges that the NRC's way of handling restart gave them an opening to demand more hearings.

Instead of holding more hearings, the NRC has listed about a dozen Unit 2 employees who could not work at Unit 1 because of possible leak-rate falsification involvement. The NRC also said parent company General Public Utilities' Chairman William Kuhns and President Herman Dieckamp were not involved and should not be removed, and there was no direct evidence against former Unit 2 managers Michael Ross and Brian Mehler, and they could continue at Unit 1.

TMIA and UCS said the personnel "conditions" were really license amendments requiring a hearing.

NRC says TMI spill was minor

A Nuclear Regulatory Commission spokesman yesterday confirmed that a spill of 3,000 gallons of low-level radioactive water inside the reactor building of Three Mile Island's Unit 2 did not result in radioactive releases to the environment.

"As far as whether or not there should be concern by the people in the area because of radioactive releases, there should not be," said William Travers, the NRC's deputy director of the TMI Program Office.

He said his office conducted tests that confirmed early reports from GPU Nuclear Corp., the company that operates TMI, that the incident Wednesday had no effect on the environment.

Travers said the significance of the spill "is quite low."

TMI spokesman Gordon Tomb said a hose connected to a new filtration system apparently pulled loose shortly after 11 a.m. Wednesday, spilling 3,000 gallons of water onto the third level of the containment building. The water contained low levels of radioactive cesium, strontium and other materials.

The spill continued for about 15 minutes until a worker noticed the leak and shut off a valve, Tomb said.

Nearly 100 new TMI claims filed

Almost 100 new claims have been filed in Dauphin County court by people who say they or their relatives were injured by the 1979 accident at Three Mile Island nuclear power plant.

Almost 700 people — or the estates of those who have died since the accident — have sued this year, claiming they suffered cancer, thyroid disorders, anxiety and other ailments because of the accident at the Londonderry Twp. facility.

More than 400 other claims have been filed by relatives of those people.

The suits say the plaintiffs suffered emotional distress because of the accident and were exposed to radiation that increased their risk of cancer and other ailments.

Defendants in the suits are General Public Utilities Corp., TMI's owner; GPU subsidiaries Metropolitan Edison Co., Jersey Central Power & Light Co. and Pennsylvania Electric Co.; the plant designer, Babcock and Wilcox Co.; Babcock's parent firm, J. Ray McDermott & Co.; Catalytic Inc., which performed maintenance at TMI, and engineering firm Burns & Roe Inc.

Government scientists and GPU have contended that too little radiation escaped during the accident to have caused such injuries. And a summary of post-accident medical studies, compiled recently by the Nuclear Regulatory Commission, showed no lasting effects on the health of people living near TMI.

TMI critics claim those studies are flawed. Other studies are continuing.

The plaintiffs, their current addresses and their ailments, as described in the latest suits are:

Nelda and Carlton Ludwig of Beaufort, N.C. She suffered cancer.

Dorothy G. and Anthony Vasco Jr. of Steelton. She suffered ovarian cancer.

Martin L. and Shae L. Kreiser of Elizabethtown. He suffered leukemia.

Thomas L. and Ruth B. Kesseling of Bainbridge. He suffered colon cancer.

Catherine S. Levey of Middletown. She suffered cancer of the breast.

Administrator of the estate of Daniel Lenny, who had leukemia and died in August 1984.

Guy J. and Jean DePasquale of Camp Hill. He suffered stomach cancer.

Stephen M. and Karen L. Crawford of Harrisburg. He suffered cancer of the abdomen.

Kathleen M. Flanagan of Columbia. She suffered thyroid cancer.

Clayton R. and Frances P. Vogel of Harrisburg. He suffered a malignant tumor in his back.

Florence L. and Samuel S. Cohen of Harrisburg. She suffered a malignant growth on her shoulder.

Robert S. and Catherine W. Hershey of Mechanicsburg. He suffered Parkinson's disease.

Carole A. Foy of Camp Hill, executrix of the estate of John F. Foy Jr., who had cancer in the sinus area and died in August 1984.

Glenn Frazier of Middletown, a heart condition.

Herman H. and M. Marguerite Prosser of New Cumberland. He suffered cancer.

Merrill Miller of New Cumberland, executrix of the estate of Irvin S. Miller, who suffered widespread skeletal metastases and died in April 1980.

Cynthia Miller of New Cumberland, executrix of the estate of Irvin S. Miller II, who had malignant tumors with complications that led to his death in January 1984.

Robert Frederick of Camp Hill, administrator of the estate of Margaret Frederick, who had breast cancer and brain tumors and died in October 1984.

Audrey Wolfe of Dauphin, administrator of the estate of John M. Wolfe, who suffered aggravation of remittive leukemia and died in August 1980.

Alice E. Ishler and Frank H. Ishler of Londonderry Twp. She suffered cancer of the breast and tongue and he suffered heart disorders.

Sarah M. China of Middletown, administrator of the estate of Wallace W. China, who had cancer of the esophagus and died in September 1980.

Wilhelmina Kammer of Harrisburg, breast cancer.

Robyn and Scott A. Diven of Carlisle, whose son, Scott, suffered a cleft palate and hearing loss.

Jean Lehmer of Hummelstown, executrix of the estate of Harold Lehmer, who had cancer of the pharynx and died in November 1984.

Walter Armstrong of Harrisburg, cancer.

Mary Beth and Barry R. Mroczka of Mechanicsburg. She suffered cancer.

James H. Grim Jr. of Middletown, administrator of the estate of Donna Q. Grim, who died of cancerous tumors.

Helen Isaac of Camp Hill, high blood pressure, irregular heartbeat, emotional distress, traumatic neurosis, hair loss and other disorders.

Doris J. Erwin of Mechanicsburg, executrix of the estate of Norman L. Erwin, who had lymph tumors and died in August 1980.

Shelby Kammer of Harrisburg, administrator of the estate of William J.

Sullivan, who had lung cancer and died in June 1980.

Kenneth A. Pipher Sr. of Camp Hill, cancer.

Carl and Margery Ehrlich of Harrisburg, whose son Andrew suffered congenital heart defects.

Edith Z. Rose of Middletown, executrix of the estate of Bernard Z. Rose, who had a stroke and died in February 1981.

Marie and Carl A. Coble of Harrisburg. She suffered a thyroid disorder and other ailments.

Dolores A. Dix of Middletown, administrator of the estate of Arthur W. Dix, who had cancer of the bone and spinal cord and died in September 1984.

Suzanne and John Bender of Carlisle. She suffered breast cancer.

Pearl P. and Benjamin Lipsky of Harrisburg. She suffered hypothyroidism and a thyroid tumor, a blood disorder and other ailments.

Diane Hlademeyer of Steelton, a growth on the ovary, endometriosis and mental anguish.

Rosemarie Conrad, of Harrisburg, administrator of the estate of Carl W. Conrad, who had a heart attack and died in June 1982.

Leteni Mumma of Manheim, hypothyroidism, emotional distress and depression.

Lynn and Eleanor Furlow of Harrisburg. He suffered a heart disorder and anxiety.

Earl J. and Amelia D. Beck of Camp Hill. He suffered cancer of the lymph nodes.

Virginia L. and Warren W. Hayes of York Haven. She suffered fibrocystic disease, high blood pressure and depression.

Marlin and Betty Pfeiffer of York Haven. He suffered cancer of the bowels.

Theodore and Florence A. Edwards of Harrisburg. He suffered cancer of the colon.

William H. Christine of Dover, aish cancer.

Lawrence and Esta Wolfe of Florida. He suffered lung cancer and a recurrence of thyroid cancer.

Marie K. and William M. Bunkel of Elfers. She suffered cancer.

Etta J. Simmens of Dover, cancer of the breast, uterus and ovaries.

Susan and Douglas Kandler of Pottstown. She suffered fibrocystic tumors and her child, Bobbi Jo, has chronic bronchitis and asthma.

Thomas Desso of Mechanicsburg, administrator of the estate of Carol A. Desso, who had cancer and died in February 1984.

Mary E. and Inman Thompson of Oberlin. She suffered throat cancer.

Catherine R. Brooks of Reynolds, severe skin disorder.

Patricia V. and John R. Frazier of Middletown. She suffered hyperthyroidism.

The Patriot, Harrisburg, Pa., Saturday, June 22, 1985

New study to probe TMI, birth problems

By Jerry Dubs
Patriot-News

A new health study on the effects of the Three Mile Island nuclear accident on pregnancies has been commissioned.

The study will investigate whether or not the accident increased the number of miscarriages or the number of infants born underweight or with birth defects, according to David Berger, chief counsel for the \$5 million TMI Public Health Fund. The fund was established as part of a settlement of a class-action suit against the designers and operators of TMI.

The study will cost \$400,000 and is expected to take two years to complete.

Daniel Berger, also counsel to the fund, said the new study was ordered because a previous, six-year state Department of Health study on how the TMI accident affected pregnancies was not definitive.

"It's unfortunate, but the findings that they have come up with have been subject to criticism and varying interpretations. We're aware of the work of the state. The methodological approach by the state has been criticized by researchers. It's a complicated issue. We see [the new study] as building on the state study," Berger said.

Dr. George Tokuhata, director of epidemiology research for the Health Department, questioned what new information could be developed in the study.

"They all say that," Tokuhata said, referring to Berger's claim that the Health Department study was not definitive. "Otherwise, there would be no reason to ask the judge to do it."

"We're doing a very in-depth study. We've been doing these studies for six years."

"We made some preliminary reports, but the final analysis is not completed. We had to wait four years for a radioactivity study," he said.

Tokuhata said initial studies of about 4,000 pregnant women within five miles of TMI have shown no direct relationship between the nuclear accident and miscarriages or other delivery problems.

The only relationship shown in the statistical study dealt with pregnant women who took medication after the accident, Tokuhata said.

"Excess medication was taken during the accident to cope with stress and did not include medication normally taken by pregnant women," he said.

"We're not saying there was an effect. We're just saying that there are some open questions," Berger said.

He said another TMI-health study is being planned for later this year.

The Patriot, Harrisburg, Pa., Friday, July 12, 1985

2 workers in TMI's cleanup file lawsuit claiming illnesses

Two men who worked on the initial cleanup at Three Mile Island have joined the list of plaintiffs who say they suffer from cancer or other illnesses because of the 1979 accident at the nuclear plant in Londonderry Twp.

Arthur D. Tilley of Warminster and Vincent W. DeNoncour of Upper Darby filed suit yesterday in Dauphin County Court against TMI's owners, designers and related companies.

Both men worked at TMI as employees of Maridm Corp., a crane operator hired shortly after

the accident to help in the cleanup, the suit says. The men were on the job at TMI for two to 10 weeks and were exposed to radioactive debris during that time, according to the suit.

As a result of that exposure, Tilley suffered cancer of the liver, and DeNoncour suffered cancer of the prostate, the suit claims. It does not say when the cancers were discovered or whether they are now in remission.

Tilley was joined in the suit by his wife, Gertrude, and DeNoncour by his wife, Nora.

Harrisburg, Pa., Tuesday, August 13, 1985

NRC staff asks fine for firm

By Mick Rood
Washington Bureau

WASHINGTON — The operator of Three Mile Island nuclear power plant should be fined \$64,000, the staff of the Nuclear Regulatory Commission says, because one of its contractors allegedly discriminated against an employee who raised safety concerns.

The NRC announced yesterday that its staff recommended the fine against TMI operator GPU Nuclear because Bechtel Corp., lead contractor in the cleanup of the island's damaged Unit II reactor, allegedly discriminated against employee Richard D. Parks.

The action, which GPU Nuclear has 30 days to appeal, comes almost 2½ years after Parks, a senior engineer, claimed the utility was bypassing safety rules in the refurbishing and testing of a solar crane needed in the \$1 billion cleanup of Unit II, which was crippled in a 1979 accident at the Pennsylvania plant, situated in Londonderry Twp., Dauphin County.

Parks' allegations resulted in the citing of GPU Nuclear for a minor, non-fine infraction of federal safety regulations.

Parks claimed, and the NRC staff agreed, he was harassed in early 1983 when managers asked him improper and intimidating questions.

The managers also placed him on leave of absence, according to NRC spokesman Karl Abraham. Parks was relieved of his duties as alternate startup and test supervisor at the Unit 2 reactor, Abraham said.

The NRC staff based its decision on a June 1983 review of Parks' grievances by the U.S. Labor Department, which also found he had been harassed and should have been reinstated.

GPU Nuclear, which since has placed its own personnel in charge of the TMI-Unit 2 cleanup, said it will review the NRC's notice of violation before deciding what to do about it.

The company said in a release yesterday that its policy is "to protect its employees and the employees of its contractors from discrimination as a result of raising safety concerns."

Parks no longer works for Bechtel Corp., according to a company spokesman in San Francisco.

The Patriot, Harrisburg, Pa., Wednesday, July 3, 1985

N-insurance again asked by legislator

Insurance companies would be required to offer home and business owners protection against damages in the event of a nuclear accident under legislation introduced by state Rep. Bruce Smith, R-Elfers.

Smith, who introduced a similar bill in the last session, says he wants public hearings held on the measure in order to arrive at the best possible method of protecting property owners against loss.

Smith said few property owners realize their insurance policies specifically exclude a loss caused by radioactive contamination.

"It's time for Pennsylvania to take a leading role in correcting this gross inequity and protect its citizens and their property against the very real possibility of damages from a nuclear plant," he said.

According to Smith, the current market value within a 25-mile radius of Three Mile Island totals \$9.6 billion. Property within a similar radius of the five nuclear power plants operating in the state has an estimated market value of \$52 billion.

"The accident at TMI convinced the nuclear industry of the importance of insurance coverage," Smith said. "In 1979, nuclear plants were insured for \$300 million each; today, most are insured for \$1 billion — nearly twice the coverage available to the public."

Under existing federal laws, the only form of nuclear insurance coverage available to the public is through the Price-Anderson Act, which limits coverage of private property in the event of a nuclear accident to \$585, according to Smith.

The York County legislator is a member of the Nuclear Risk Task Force Advisory Committee which investigates the insurance industry's approach to nuclear insurance.

A 1979 state House report identified lack of insurance coverage as one of 11 specific problems stemming from the accident.

The Patriot, Harrisburg, Pa., Tuesday, July 16, 1985

TMI claims transferred from South

By Frank Lynch
Patriot-News

Several hundred claims filed in Mississippi against companies connected with the accident at Three Mile Island have been transferred to federal court here.

The suits represent hundreds of central Pennsylvanians seeking compensation and punitive damages for illnesses allegedly caused by the March 1979 accident at the Londonderry Twp. plant.

Fifteen of the suits have arrived in U.S. Middle District Court here for processing. Another 15 are being handled in Scranton, but they too will be shipped to the Harrisburg office for handling, said a spokesman in the clerk's office.

A federal judge in Mississippi ordered the cases transferred to federal court in Pennsylvania since nei-

ther of the defendants has its principal place of business in Mississippi, and because most of the litigants live in this area.

Lee C. Swartz, attorney for many plaintiffs, said the suits were filed in Mississippi because that state has a six-year statute of limitations for personal injury cases. In Pennsylvania it is two years.

Swartz said all those who filed in Mississippi also had filed in Dauphin County Court. If the court dismisses the county cases because of the statute of limitations, the federal suits will remain, he said.

Defendants named in the suits are TMI designers Babcock and Wilcox of New York, and Babcock's parent company, J. Ray McDermott of New Orleans.

Neither plant owner General Public Utilities Corp. nor Metropolitan Edison Co., the plant operator at the time of the accident, is a defendant in the federal suit. Both entities are named in the county suits.

3,000 gallons of TMI water leaks in plant

The Patriot, Harrisburg, Pa., Thursday, August 15, 1985

By Frank Lynch
and Peter Kelley
Patriot-News

Three thousand gallons of low-level radioactive water spilled from a hose inside Three Mile Island's damaged Unit 2 containment building yesterday, but officials said the incident should not delay the planned defueling of the reactor this fall.

No workers in the building were contaminated in the spill, and there was no radioactive release outside the plant, according to spokesman Gordon Tomb. It was not immediately known how many workers were nearby.

TMI officials also reported a fire in a fuse box in the turbine building. Tomb said the fire was limited to the secondary, or non-nuclear, section of the plant, and damage appeared to be limited to the electrical components of the unit.

Tomb said a hose connected to a new filtration system apparently pulled loose after 11 a.m., spilling 3,000 gallons of water onto the third level of the containment building. The water contained low levels of radioactive cesium, strontium and other materials.

The spill continued for about 15 minutes, until a worker noticed the leak and shut off a valve at 11:25 a.m., Tomb said. The water was carried to the building's basement by way of floor drains, from where it will be pumped out, decontaminated and stored for use in the cleanup at the plant.

Yesterday's spill occurred during a test of a new filtration system that will be used to defuel TMI-2. The test included pumping water from the building's fuel transfer canal into a filtration device and back to the canal.

William Travers, deputy director of the U.S. Nuclear Regulatory Commission's TMI Program Of-

fice, said the canal currently houses the highly contaminated plenum, an assembly that was removed from atop the reactor May 15. He said the water, which covers the plenum and shields workers from its radiation, dropped 10 inches during the spill. But he said the plenum remains safely covered by about six feet of water.

The planned defueling is the latest step in the \$1 billion cleanup of Unit 2, which was damaged in March 1979 when the reactor overheated, causing fuel to melt.

Karl Abraham, public affairs director for the NRC's Region I, said such spills are not uncommon at nuclear power plants. He said his office receives anywhere from six to a dozen such reports a year from plants in the northeastern region.

"When you have a nuclear plant which has miles of plumbing, there's always something leaking someplace," Abraham said.

He said the most recent spill reported in the Northeast was at the Shoreham power plant on Long Island, N.Y., where an operator left a valve open and allowed 7,000 gallons of reactor water to escape.

Abraham said the water that spilled yesterday "is a very small amount when you consider the hundreds of thousands or millions of gallons of water which are in the average nuclear plant."

In the other, unrelated incident at TMI, an electrical transformer on the ground floor of the turbine building shorted and began smoking. TMI's fire brigade, made up of company employees, was called about 1:20 p.m. but the smoking stopped when electrical power was shut off, Tomb said.

The fire is being investigated, and Tomb said technicians doubt there was any damage outside of the electrical components.

The Patriot, Harrisburg, Pa., Tuesday, July 23, 1985—

TMI hit with another suit

By Mary Warner
Patriot-News

The number of people and estates seeking damages in Dauphin County Court from the owners and designers of Three Mile Island rose yesterday to more than 950.

A new suit was filed on behalf of 35 people, including nine children, and the estates of two people who have died since the 1979 accident at the Londonderry Twp. nuclear plant.

Since February, almost 600 claims have been filed in Dauphin County Court by people with cancer, anxiety and other ailments — or the estates of people who have died. More than 350 additional claims have been filed by the parents and spouses of those people.

Their suits say the accident caused emotional distress and exposed people in the area to radiation that increased their risk of cancer and other serious illnesses.

TMI and government scientists who investigated the accident said not enough radiation escaped to harm anyone. But some TMI critics have raised questions about radiation monitoring during the early hours of the accident.

Plaintiffs, their current addresses and their injuries as described in the latest suit are:

Henrietta B. Adams of Middletown, glandular problems, nausea and high blood pressure.

Gary E. and Miriam E. Altland of

Etters. She suffered anxiety. They also sued on behalf of their children, Kimberly and Melissa.

Manuel S. and Elizabeth M. Chavey of Middletown. He suffered prostate cancer, a perforated ulcer and anxiety. She had thyroid problems and anxiety.

Daniel A. Coleman Jr. of New Cumberland, testicular cancer and other tumors.

William E. and Brenda K. Deaven of Elizabethtown, administrators of the estate of Jessica S. Deaven, who died of leukemia in October 1981. They also sued on behalf of their son, Joshua.

Dorothy W. Dice of Everett, Mass., who suffered breast cancer and respiratory, heart and blood pressure problems.

Stella D. Guyer of Hershey, anxiety and high blood pressure. She also is administrator of the estate of James J. Guyer, who had pancreatic cancer and died in December 1982.

Scott E. and Patricia A. Herrold of Hummelstown, whose daughter Jessica had multiple birth defects.

Robert G. and Barbara A. Kosko, of Seven Valleys, suing on behalf of themselves and their children Lisa and Robert Jr. No specific ailments were listed.

Sandra L. and Lewis M. LaMarca of Dauphin. She had hyperthyroidism, fibrocystic breasts and anxiety. He suffered anxiety.

Glenn E. and Nellie E. Laughman of York Haven. Both suffered anxiety.

Gregg A. Laughman of Mount Wolf, aggravation of a diabetic condition and chronic respiratory problems.

Carl E. and Sandra J. Oross of York Haven. Both suffered chronic respiratory problems, and she also suffered hyperventilation and arthritic problems. In addition, their children, Jennifer, Jason and Eric, suffered chronic respiratory problems and other ailments.

Elizabeth R. Rudy of Elizabethtown, high blood pressure, stroke, skin growths, chronic nausea and coughing spells.

George H. and Ruth A. Somerville of Mechanicsburg. She suffered ovarian cancer and he suffered anxiety.

James E. and Janet M. Thomas of York. He suffered skin cancer.

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News Watch on the Harrisburg Area

VOL. 5 NO. 6

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B2—The Patriot, Harrisburg, Pa., Monday, August 26, 1985

Studies link TMI-related stress, immunity impairments

Associated Press

LOS ANGELES — New studies linking people's moods with their body's disease-fighting ability have found impairment of the immune system among stressed neighbors of the Three Mile Island nuclear power plant and depressed herpes patients.

The findings, presented yesterday at the American Psychological Association's annual meeting, show "stress of different sorts does seem to have an influence on immune function," said Frances Cohen, a University of California at San Francisco psychologist.

One study compared stress and immune system functioning

among Middletown, Pa., residents who live within sight of Three Mile Island in Londonderry Twp., where one nuclear reactor was damaged during a 1979 accident, and residents of Frederick, Md., which is 20 miles from the nearest power plant.

It found the Middletown residents reported feeling considerably more stress and helplessness because of fear of another mishap at TMI, said Marc Schaeffer, a psychologist at the Uniformed Services University of the Health Sciences in Bethesda, Md.

Urine and blood tests showed neighbors of TMI also had increases in stress-related hormones and reductions in various disease-

fighting cells in their immune system, Schaeffer said. They also reported catching colds more often than the Frederick residents, he added.

However, because only 16 people were involved in that part of the study, he cautioned that the results are not definitive.

Another study, of 36 people with herpes, found that those who were more depressed had greater reductions in certain disease-fighting blood cells and more frequent recurrences of genital herpes sores, psychologist Margaret Kemeny said.

While herpes patients might be depressed because of the disease, Kemeny said her findings showed

recurrences of herpes occurred after immune system impairment linked to depression, suggesting depression triggered the sores.

The study found no increase in recurrent herpes outbreaks among people who felt more stress, although herpes patients commonly believe stress prompts their outbreaks.

The results suggest stress and depression can affect the immune system in different ways, said Kemeny, who conducted the study at UCSF before moving to the faculty of the University of California at Los Angeles.

A third study, which involved 40 first-year medical students in Ohio, found impairment of their

immune systems and frequency of illness increased as stress increased just before academic exams.

But Ohio State University psychologist Janice Kiecolt-Glaser also reported that such impairment was not a great among students who said they had a greater sense of control over stressful events.

She said that shows that the influence of mood on the immune system and disease can be moderated by an individual's ability to cope with stress.

In each of the studies, researchers measured stress, depression or other moods using standard psychological questionnaires.

Blood tests were used to measure impairment of various disease-fighting immune cells.

In June, the New England Journal of Medicine published a study showing that a positive mental attitude didn't affect the survival of gravely ill cancer patients. An accompanying editorial proclaimed: "Our belief in disease as a direct reflection of mental state is largely folklore."

The psychologists who participated in yesterday's session disputed that conclusion.

"I don't think anyone here wants to say psychological factors cause disease in and of themselves," said University of Denver psychologist Mark Laudenslager.

A2—The Patriot, Harrisburg, Pa., Friday, Sept. 6, 1985

State finds no TMI-tied cancer rise

By David Morris
Patriot-News

State Health Department officials announced yesterday there is no evidence the 1979 nuclear accident at Three Mile Island caused an increase in cancer cases, but they conceded time could change the assessment.

The findings, contained in a long-awaited study, show the number of cancer cases was about 10 percent higher than statistically expected in the communities closest to the Londonderry Twp. plant, while the number of cancer deaths in both a 10- and 20-mile radius of TMI was lower than expected for similar populations.

The difference in cancer cases is not large enough to be statistically significant, according to the study directed by George K. Tokuhata, director of epidemiology research at the Health Department.

"The essence of the situation is this — we have not found any increase in the incidence of cancer within a 20-mile radius of TMI," Secretary of Health Dr. H. Arnold Muller said at a Capitol news conference.

But "the fact that we have not found an increase does not prove that something may not be in the

See CANCER—Page A2

From Page A1

offing later on," he added, noting that most cancers take more than five years to develop.

The study, which was released the same day that operators of the nuclear plant asked a federal appeals court to dissolve a stay and allow restart of the damaged Unit 1 reactor, was criticized by foes of TMI.

According to the report, 133 new cancer cases were identified in Fairview and Newberry townships and York Haven and Goldsboro — the four closest communities downwind of the crippled Unit 2 reactor — between July 1982 and June 1984.

The study showed that 121.4 new cancer cases could be expected in any population that size. The increase of about 12 cases is nearly 10 percent, but Muller said the new cases cannot be linked to the accident.

"While Newberry Twp. appeared to have 10 more cases than might have been expected, virtually all of the discrepancy — nine of the 10 — involved non-radiogenic cancers or those not generally associated with radiation," Muller said.

He called the report "the first scientific analysis of cancer among those living within a 20-mile radius of the plant."

Doug Bedell, spokesman for GPU Nuclear, operator of the plant, said the company has relied on impartial scientific studies that showed no ill effects resulted from



Dr. Muller, left; Dr. Tokuhata

Inside:

- TMI opponents aren't buying conclusions of health study — A2
- GPU Nuclear Corp. asks federal court to lift restart stay — A2

the accident. "Now the state of Pennsylvania has reaffirmed those impartial scientific studies," he said.

Gov. Dick Thornburgh, who is trying to delay the restart through legal maneuvers, finds the conclusions "comforting," according to spokesman Roland Page.

In a 10-mile radius of the plant, the department identified 2,892 cancer deaths since 1979, while 2,909 would have been expected in any similar population. In a 20-mile radius, 7,924 cancer deaths were recorded while 8,177 statistically would be expected.

The department's study countered a survey by Norman and Marjorie Aamodt, a former Lancaster-area couple who identified a big increase in cancer deaths and said they were linked to the accident. Muller called that report "biased" and said it had no scientific basis.

"Because of the complexity of cancer's origin, one must not draw quick conclusions about cause-and-effect relationships," he said.

He added that "with or without TMI," an increase in cancer deaths should have been expected in the area because:

- The population is increasing
- More cases are being identified because of improved reporting methods
- Doctors are using new technologies to find cancers that previously went undetected
- Residents are living longer, and older people are more susceptible to cancer.

York Daily Record • Saturday, September 7, 1985

TMI reviewing respirator rules

Procedures for issuing respirators to Three Mile Island unit 2 employees will be strengthened after plant operator GPU Nuclear Corp. learned that some respirators may have been issued without a current inspection, the company said Friday.

The respirators protect workers from inhaling or swallowing airborne radioactive particles in radiological areas of the unit 2 reactor, which was damaged in the March 1979 accident.

Under TMI procedures, the respirators are to be inspected once a month as a precaution for cleanliness and wear and are marked with a sticker showing that the inspection was done.

In August, it was learned that some respirators may have gone for more than a month without an inspection.

A review by GPU Nuclear indicated that 17 such respirators had been used during the month. The longest that any may have exceeded the monthly inspection date was 20 days.

Inspections of more than half of the 17 respirators show them to be in good condition. All indications are that the respirators functioned properly and that there were no worker exposures.

GPU Nuclear is continuing to inspect the remaining respirators and is making a precautionary check of the workers involved for internal deposition of radioactive materials, a spokesman said.

The Patriot, Harrisburg, Pa., Thursday, Sept. 5, 1985

GPU pledges 'continued' candor

Washington Bureau

WASHINGTON — GPU Nuclear Corp. acted to reaffirm yesterday what it called a "long-standing commitment to open and candid communications" with the Nuclear Regulatory Commission and the public.

The company released a letter on its policy from GPU Nuclear President Philip R. Clark to the NRC after a congressman released training course material in which 17 engineers from GPU Nuclear's Oyster Creek nuclear plant were coached in November 1983 on ways to "get by" NRC inspectors.

The consulting firm running the two-day seminar, General Physics Corp. of Columbia, Md., said it has since eliminated the objectionable material from the course on "containment system leakage testing."

Employees from the other GPU

Nuclear-run nuclear plant, Three Mile Island Unit 1 in Londonderry Twp., were not involved.

GPU Nuclear is especially sensitive to potential improprieties involving the NRC regulation, since the company that preceded it in operating TMI Unit 1 was convicted of falsifying leak rate tests at TMI Unit 2 in February 1984.

In addition, intervenors in the TMI Unit 1 restart case have accused GPU Nuclear officials of withholding information from the NRC in several instances, but NRC investigators say they have found no intentional or improper conduct by the utility.

Clark told the NRC that GPU Nuclear corporate policy directs employees to:

- "... continue to provide full and accurate information in a timely manner on GPU activities and operations."

A2—The Patriot, Harrisburg, Pa., Friday, Sept. 6, 1985

TMI foes skeptical of cancer findings

By Jerry Dubs
Patriot-News

Opponents of Three Mile Island aren't buying the state Department of Health's conclusion that the 1979 accident at the nuclear plant did not cause any cancer problems in the area.

"They've misinterpreted the data in an attempt to hoodwink the public," Marjorie Aamodt said of the report released yesterday.

Aamodt and her husband, formerly of the Lancaster area, are authors of a study that concluded there was a sevenfold increase in cancer deaths in some areas around the Londonderry Twp. nuclear plant after the accident.

The state report concluded that the Aamodts' study was "biased" and "contrary to scientific findings." Dr. H. Arnold Muller, secretary of the Health Department, said the Aamodt study was "not valid."

However, Aamodt said the information in her study was verified by the TMI Public Health Fund in January. The fund has commissioned researchers from Columbia University for a \$242,033 study of health issues and TMI.

While the Health Department report did not lay to rest questions about cancer and TMI, it did confirm suspicions held by some nuclear activists.

"From the calls that have come in, a lot of people say they do not trust the state reports and studies," said Kay Pickering of TMI Alert.

She said the numbers from the cancer registry used by the Health Department to determine there were only a dozen more cancer cases in the area than would have been expected may have been in-

complete. "Many individuals feel that they are not listed on the registry. Doctors have told them that they would not list them and others have gone out of state for treatment," she said.

Pickering was not alone in her skepticism.

"I really don't have much faith in the findings. Figures can be manipulated," said Mary Osborn, who joined with four other women to picket Gov. Dick Thornburgh's residence last month in an effort to get the Health Department study released.

"One doctor we talked to had 11 leukemia patients in the area; [the report] shows only two," Osborn said.

Joyce Corradi, who also picketed the Governor's Mansion, said she was glad the report finally was released, but she questioned whether the information used to reach conclusions in the study was accurate.

"I was told that I don't live in the five-mile radius [of the plant]. I know I'm in the five-mile radius," she said. "I don't trust Dr. Tokuhata, period."

Dr. George K. Tokuhata, director of the Health Department's Division of Epidemiology, directed the study.

The report, which state officials said would be ready in June, was delayed because it was being rewritten in layman's terms and because the conclusions were being verified by other experts, officials said.

"I think that many of us don't believe that's the reason it took so long. I believe a lot went on behind the scenes. This has international significance. It has a lot of ramifications for court cases," Pickering said.

GPU asks U.S. court to lift stay on restart

By Mick Rood
Washington Bureau

WASHINGTON — GPU Nuclear Corp. asked a federal court yesterday to lift a stay on the company's restart of the Three Mile Island Unit 1 reactor.

Contending the Nuclear Regulatory Commission had "properly ordered" renewed operation on May 29, the utility told the court that customers and shareholders of the parent General Public Utilities Corp. are bearing "enormous cost" while the plant is shut.

GPU Nuclear spokesman Doug Bedell said customers are losing \$80 million a year in rate savings attributable to Unit 1 operations and common stockholders are losing another \$60 million in earnings.

A 3rd U.S. Circuit Court of Appeals panel ruled 2-1 last month that the NRC on May 29 had correctly ordered restart of the Londonderry Twp. nuclear plant.

But just minutes before GPU Nuclear was to receive the go-ahead from the NRC to start the plant Aug. 29, Judge Collins J. Seitz continued the stay on restart to give intervenors two weeks to

appeal the panel's decision to the full nine-judge court.

In the first of those appeals, Three Mile Island Alert will tell the court today that the panel misconstrued the legal issues in question, TMIA attorney Lynne Bernabel said yesterday.

The Union of Concerned Scientists and Norman and Marjorie Aamodt, formerly of the Lancaster area, are expected to file appeals next week. Roland Page, a spokesman for Gov. Dick Thornburgh, said the state, which also is a party to the restart case, had not decided yet whether to file an appeal.

The intervenors contend that more safety hearings are needed before restart.

TMIA claims the many restart conditions the NRC would put on GPU Nuclear — if it is allowed to start up Unit 1 for the first time in 6 1/4 years — are amendments to its operating license.

Among other issues, TMIA again will point out hearings were not held on the 1978-79 falsification of water leak rates at TMI Unit 2, even though the NRC has agreed concerns raised by the leak rate rigging are material to GPU Nuclear's fitness to hold a license. Bernabel said.

Electrical fire leaves TMI-1 inoperable

From staff and wire reports

The owners of Three Mile Island will investigate the cause of an electrical fire Saturday morning that left Unit 1 inoperable for at least the next few days, according to reports.

The smoldering fire was discovered at 3:58 a.m. Saturday, and damaged electrical switches used to operate nuclear reactor control rods, according to Doug Bedell, a spokesman for the plant's operator, GPU Nuclear Corp.

Bedell said plant operators used an extinguisher to put out the fire after they were alerted by an

alarm. He said no injuries were suffered during the fire, which presented no hazard to workers.

The reactor itself was not damaged, and an emergency was not declared. Bedell said workers were at the plant yesterday to devise a plan to investigate the fire. He said company officials hoped to begin searching for the cause today.

Unit 1 was not damaged during the March 1979 nuclear accident at Three Mile Island's Unit 2 reactor. Although the Nuclear Regulatory Commission has authorized restart, the unit remains shut

down pending the outcome of appeals filed in the 3rd U.S. Circuit Court of Appeals in Philadelphia. Bedell said the fire started in switches located in the plant's relay room, below the control room. The switches are part of an electrical system for control-rod drive mechanisms — devices that regulate the movement of control rods inside the plant's nuclear reactor.

At the time of the fire, Bedell said, the plant was on "hot standby," meaning Unit 1 was heated to operating temperatures, but the reactor itself was not running.

As part of de-energizing the

electrical switches after the fire, plant operators inserted into the reactor core four groups of control rods that were in a withdrawn position, Bedell said. There are eight groups of control rods, all of which are now inserted, he said.

"If the reactor had been running, it would have shut down during the fire," Bedell said. It would have remained shut down until the cause of the fire was located and corrected, he added.

Bedell said he didn't know how long repairs would take, but said he didn't think they would be costly.

The Patriot, Harrisburg, Pa., Tuesday, Sept. 10, 1985

NRC says it won't probe fire

Investigation slated by GPU Nuclear

By Frank Lynch
Patriot-News

The U.S. Nuclear Regulatory Commission says it will not conduct an independent investigation into a fire Saturday at Three Mile Island Unit 1 that damaged an electrical panel that drives rods controlling the nuclear chain reaction.

"It doesn't happen every day," said Karl Abraham, public affairs officer for NRC Region 1, which includes Pennsylvania. "But they are not all that uncommon."

Abraham said the fire, which occurred at 3:58 a.m. Saturday, will be investigated by GPU Nuclear Corp., the company that operates TMI. The NRC inspection staff on the island "will follow up" that investigation, Abraham said.

Plant spokesman Douglas Bedell said repairs to damaged components began yesterday, and that the series of switches and the control rods they operate would be operational "in the next couple of days."

He said the reactor was not damaged and there was no emergency declaration. "If [the fire] is not expected to have any effect on our restart schedule," he said.

Restart of the unit, undamaged in the March 1979 accident at its Unit 2 sister reactor, was put on hold two weeks ago by the 3rd U.S. Circuit Court until appeals filed against restart are considered by the full court.

Saturday's fire affected the drive mechanisms for two control rods in the Unit 1 reactor, Bedell said. Control rods are made of a metal alloy that, when placed in a reactor, act as a "neutron poison." The rods shut down fusion — the nuclear chain reaction.

At the time of the incident, four of the eight sets of control rods had been withdrawn from the reactor. Bedell said those rods, the "safety group," are normally in that position. He said control room operators tripped the reactor, causing those four to drop into the reactor. All eight sets of control rods were in the reactor yesterday morning, he said.

standards infrequent and of limited duration.

The inaccuracy of the test was not reported to management so corrective action could be taken. That is a requirement of the NRC and the company's own policies, but was not done.

The NRC staff, which has also been investigating unit 2 leak rate allegations, has received the report from Stier. Stier has also made available to the NRC staff testimony he developed during the investigation.

UCS lawyer Elynn R. Weiss argued that the NRC decision, if left to stand, "would allow federal agencies to hold the due process rights of those whom they regulate and those whose lives and property are affected by their action hostage to the semantic circumlocution of creative drafters."

It is not clear when the court will address points raised in the briefs. But Douglas Bedell, spokesman for GPU Nuclear, which last week asked the court to lift its stay on restart, said each day restart is delayed is costly to the utility's customers and stockholders.

For every week that the undamaged reactor remains idle, he said, GPU customers have to pay an extra \$1.5 million for replacement power and other costs, while investors lose about \$1 million in potential earnings.

State, N-protesters seek restart hearings

By David Morris
and Mick Rood
Patriot-News

Lawyers for the commonwealth and an anti-nuclear group yesterday asked the full 3rd U.S. Circuit Court of Appeals to order the Nuclear Regulatory Commission to hold hearings before allowing the restart of Three Mile Island's Unit 1 reactor.

The latest appeals stem from an Aug. 27 decision by a three-judge panel, which ruled 2-1 that the NRC's restart order on May 29 was proper. The court two days later granted an emergency stay to give intervenors time to appeal the ruling to the full court.

"Before TMI-1 restarts, the citizens of the Commonwealth must have adequate assurance that the licensee's management can safely operate the plant," said the brief filed on behalf of Gov. Dick Thornburgh.

"After six years of investigation, it is impossible to explain why the NRC has not held hearings on two key issues of managerial capability of the TMI-1 operator," the brief notes. "These issues can not be dismissed by merely asserting that the present management of TMI-1 is different, that the issues are not significant public safety issues, or that the Commission can proceed as it chooses be-

cause this in an enforcement proceeding. The facts do not support these assertions."

The Union of Concerned Scientists, in its appeal, contended the 155 restart conditions the NRC imposed on TMI operator, GPU Nuclear Corp., constitute amendments of its operating license. Federal law requires public hearings on nuclear plant license amendments, the group said.

At issue are whether the NRC should hold hearings to determine if any current Unit 1 manager or operator was responsible for "the intentional and systematic falsification" of leak-rate tests for Unit 2 or was involved in withholding information about the March 1979 accident that crippled the reactor.

The NRC determined that additional hearings were not necessary. The court's "great deference" to the NRC is unwarranted, state lawyers claimed in their filing.

The lawyers wrote: "Public confidence in the safety of nuclear power production may be severely damaged, even more than by the TMI accident itself, if the outstanding issues of management competence and integrity are not resolved openly and on the basis of evidence in the record. The case of Three Mile Island... is a fundamental test of the nuclear regulatory process."

September 11, 1985 York Daily Record

Probe: TMI-2 leak tests often altered

By MICHAEL ARGENTO
Daily Record staff writer

Operators at Three Mile Island's unit 2 reactor frequently manipulated tests to determine leakage from the reactor's coolant system and routinely discarded test results that didn't conform with federal standards.

But it turned out the tests were defective and the actual leakage rarely exceeded standards set by the Nuclear Regulatory Commission.

Those are among the conclusions of a report issued Tuesday that resulted from an independent investigation of allegations of falsification of leak tests at unit 2.

The investigation was commissioned by TMI operator GPU Nuclear Corp.

The falsification and discarding of test results occurred between March 1978, when unit 2 began operating, until the March 1979 accident. The tests did not contribute to the accident.

"It is clear that this practice was carried over from TMI-1 where it had been established in September 1974," the report said.

At unit 1, which was undamaged in the March 1979 accident at unit 2, the investigation showed operators failed to document and discarded a small percentage of the leak test results.

TMI

Continued from 1A

Leak rate testing is a procedure to detect leakage of radioactive water from a nuclear reactor's coolant system into the reactor containment building.

The testing at TMI has been the subject of prior investigations by the NRC staff, the NRC Office of Investigations, the U.S. Department of Justice and GPU.

Stier's report confirms the re-

Pa. wants more restart hearings

Attorneys for Gov. Dick Thornburgh asked a federal appeals court Tuesday to order the Nuclear Regulatory Commission to hold more hearings before Three Mile Island's undamaged unit 1 reactor can resume operation.

Furthermore, operators at unit 1 made additional efforts to measure leakage.

But at unit 2, operators discarded the tests about 50 percent of the time, the report said. And they did not conduct further evaluations to determine actual leakage.

Operators at unit 2 saw the test as an "administrative requirement" and did not use the test to measure actual leakage, the report said.

The falsification of tests led to criminal charges against former plant operator Metropolitan Edison Co.

A federal grand jury indicted Met-Ed in 1983 on charges of

results of the other investigations. His findings include:

The test was defective. Due in large part to errors in the computer program and faulty instrumentation, it was unable to accurately measure the leakage in the plant.

The operations staff at unit 2 did not believe the validity of the test. They viewed the leak rate test as unreliable and not necessary for safe operation of the reactor.

Operators manipulated data and relied on poor data.

falsifying data from the leak rate tests conducted before the unit 2 accident.

In early 1984, the company pleaded guilty to one charge in the indictment and no contest to the others.

It marked the first time a utility had been convicted on criminal charges.

Following the indictment and guilty plea, GPU Nuclear commissioned Edwin H. Stier, a Newark, N.J., attorney and former director of the New Jersey Division of Criminal Justice, to conduct an independent investigation.

GPU Nuclear paid nearly \$2 million for the investigation, said company spokeswoman Lisa Robinson.

Stier's 15-month investigation began in July 1984 and involved extensive technical analyses of more than 200 tests and interviews of more than 60 people.

"This has been a major investigation," said Philip R. Clark, president and chief executive officer of GPU Nuclear. "Completing it and making the findings public fulfill the company's commitment that the facts would be fully developed and made known."

Please see TMI on 8A

Operators discarded test results that showed leakage that exceeded federal standards about 50 percent of the time.

Stier's investigation also developed more detailed information about the leak rate tests, including:

Actual leakage infrequently exceeded limits. The detailed technical analysis of records showed that periods during which actual leakage was above federal stan-

ings and to take action Oct. 24.

The current rate case excludes costs associated with TMI-1, which has been idle since the March 1979 accident at TMI-2.

The return of TMI-1 automatically would trigger rate adjustments that already have been approved.

TMI-1 would increase base rates by \$29.7 million but decrease Met-Ed's energy cost rates by \$80.4 million. That dual adjustment would result in a net reduction of \$50.7 million.

In a related ruling that will have no effect on customer's rates, Cohen also yesterday recommended approval of Met-Ed's request for an accounting move that would transfer an extra \$8.3 million to the

The Patriot, Harrisburg, Pa., Friday, Sept. 13, 1985

Work finished on switches at TMI Unit 1

Repairs have been completed to electrical switches damaged in a smoldering fire Saturday at the Three Mile Island Unit 1 nuclear reactor in Londonderry Twp.

A spokesman for GPU Nuclear Corp. said the repairs were finished Wednesday.

Testing showed the fire was caused by a faulty electrical relay switch in a system that regulates the control rod drive mechanisms. The switches are in the plant's relay room, below the control room.

Saturday's fire was extinguished by plant personnel using a fire extinguisher.

The Unit 1 reactor remains in hot standby condition, meaning it is heated to operating temperature but not running. The switches operate control rods used to regulate nuclear reactions under normal plant operation.

Unit 1 was not damaged in the 1979 accident that damaged its twin reactor. The Nuclear Regulatory Commission has granted GPU permission to restart Unit 1, but the reactor has remained idle pending appeals of the restart order to the U.S. 3rd Circuit Court in Philadelphia.

cleanup at TMI-2.

That money, already being collected in the company's base-rate charges, had been earmarked toward paying off the investment in TMI-2.

Cohen also issued a recommendation yesterday in the rate-hike request of Met-Ed's sister company, Pennsylvania Electric Co.

Penelec is seeking a \$55.3 million increase, but Cohen is recommending a \$42.2 million rise.

Met-Ed and Penelec are subsidiaries of General Public Utilities Corp. of Pennsylvania, N.J.

Met-Ed serves 380,000 customers in 14 eastern and central counties, while Penelec serves 537,700 customers in 31 northern, western and central counties.

Met-Ed deserves \$19.9 million rate boost, PUC judge says

By George Weigel
Patriot-News

Metropolitan Edison Co. is entitled to \$19.9 million of a requested \$47.3 million annual rate increase, a state Public Utility Commission administrative law judge says.

Judge Herbert S. Cohen's recommendation, issued yesterday, includes disallowing a request of \$9 million in depreciation expenses for the undamaged Unit 1 nuclear reactor at Three Mile Island.

The ruling sided with arguments by the PUC staff and the state Office of Consumer Advocate, both of which claimed that Met-Ed should not be able to recover depreciation expenses while the unit is out of service.

Cohen's recommendation also includes a cut of \$7.4 million from Met-Ed's request for about \$15 million more a year to operate and maintain two coal-fired generating stations.

PUC officials said they could not immediately determine what effect Cohen's decision would have on an average customer's rates.

Under Met-Ed's original request, an average customer using 860 kilowatt-hours of electricity a month would see his monthly bill rise from \$45.81 to \$53.69 — an increase of nearly 13 percent.

Cohen's recommendations would allow Met-Ed about 42 percent of the amount it seeks.

If that same percentage decrease is applied to an average monthly bill, an aver-

age customer would face a boost of about \$2.47 a month — or about 5 percent.

However, those figures are unofficial and may vary depending on how Cohen's adjustments affect different classes of customers.

Met-Ed filed for the rate increase in January, claiming the extra revenue was needed to meet increasing operating expenses and to improve the efficiency of its firm and Portland coal-fired generating stations.

Another \$9 million of the request involved the plan to claim depreciation expenses for TMI-1.

The recommendation now goes to the PUC for consideration and a final vote.

The commission tentatively plans to discuss the case at its Oct. 3 and 10 meet-

NRC member says TMI-1 restart is disappointing

By Michael Sullivan
Patriot-News

MILLERSVILLE — Nuclear Regulatory Commission member James Asselstine last night called the federal court decision that clears the way for restart of the Unit 1 reactor at Three Mile Island a disappointment.

Asselstine, the only member of the NRC to vote against the restart of Unit 1 on May 29, spoke to about 100 Millersville University students and members of Susquehanna Valley Alliance, an anti-restart citizens' group.

His talk came several hours after the U.S. 3rd Circuit Court of Appeals in Philadelphia had refused to hear an appeal of the

restart decision filed by the state and citizens' groups, who contended that more safety hearings are needed.

"Obviously I am disappointed," Asselstine said. "I had hoped the full panel would take a look at the case to determine if more hearings were needed on safety issues."

He called the NRC authorization to restart the nuclear power plant unit "the single biggest failure of the agency."

Asselstine was given a hero's welcome by restart opponents in the audience, who presented him with flowers and a basket of fruit.

Kay Pickering, spokeswoman for the alliance, said the 10-2 vote by the full circuit court was an

ever before."

She said alliance volunteers continue to receive phone calls from area residents opposing restart.

The anti-restart group plans several local activities in a show of opposition. Among them are canvassing to ask residents to call Gov. Dick Thornburgh's office and that is acceptable to the people who live around the plant."

The review by the NRC failed to address key issues involving management competence and integrity, Asselstine said.

Opponents of a Unit 1 restart, including Gov. Thornburgh, testified before the NRC on management integrity issues. But their statements were made during a meeting, not a hearing, Asselstine said.

"I think the commissioners listened to what was said, but that kind of opportunity doesn't substitute for a hearing," he said.

Asselstine said a majority of the commissioners view GPU Nuclear Corp., operators of TMI, as a "whole new organization" and that management integrity is not an issue in the restart.

If the Supreme Court does not block restart, Asselstine said his role will be to "assure for my part that it is done safely."

especially harsh blow to restart opponents. She said the group's top priority now will be to ask the U.S. Supreme Court for an extension of a stay that blocked restart pending the appeals.

"The support hasn't dwindled," Pickering said. "In fact, as an organization we have raised more money in the past year than ask that the state appeal the restart decision to the Supreme Court."

The group also will hold a demonstration vigil Wednesday at 3:30 p.m. on Route 441, just north of the Three Mile Island gates in Londonderry Twp. The vigil is planned 30 minutes before the court order that blocked restart is to be lifted.

Asselstine, in his hourlong talk, said the NRC's inability to address serious issues has resulted in an erosion of public trust in both the commission and the nuclear industry.

"Tonight may not be the best night for anyone from the NRC to be in this area," he said. "The NRC has viewed the public as the enemy. There is real resentment and hostility toward public involvement in its decision-making."

He called the NRC's handling of the TMI restart case "really a tragedy. It needs to achieve a solution to the problem — a solution

— The Patriot, Harrisburg, Pa., Friday, Sept. 20, 1985

TMI-hearing denial casts fate of restart into Supreme Court

By Mick Rood
Washington Bureau

WASHINGTON — The full U.S. Circuit Court of Appeals yesterday denied opponents of the Three Mile Island Unit 1 restart a rehearing and said that unless the U.S. Supreme Court acts on expected appeals, the plant could start up at 4 p.m. Wednesday.

A three-judge panel of the circuit court had ruled in a 2-1 decision on Aug. 27 that further safety hearings sought by Pennsylvania and anti-nuclear groups were unnecessary. By refusing a rehearing, the full court in Philadelphia affirmed that decision, leaving the U.S. Supreme Court as the last legal recourse in the case.

Three Mile Island Alert, a TMI-

area citizens' group, plans to appeal to the high court, attorney Joanne Doroshow said yesterday afternoon. The state is expected to do the same, but a spokesman for the governor said only that state attorneys are reviewing the case.

"We're disappointed, but we will go to the Supreme Court and hope the governor will too. This is not over yet," Doroshow said.

The U.S. Supreme Court associate justice assigned to hear 3rd Circuit Court appeals is William J. Brennan, a member of the liberal wing of the court who may be sympathetic to the issues of citizens' redress raised in the TMI proceedings.

But attorneys for the intervenors, which also include the Union of Concerned Scientists and

79 water leak-rate falsifications at Unit 2. Public hearings are required when operating license amendments are involved, opponents have said.

The NRC and GPU Nuclear contend that the NRC properly relied on its own investigations and other "extra record" information to reach conclusions on the leak-rate manipulation and other issues without holding hearings.

Citing the lengthy TMI restart proceedings, in which many other management safety issues were examined at length during public hearings, the three-judge circuit court panel said the NRC had been within its discretion to order restart last May 29.

Norman and Marjorie Aamodi of Coatesville, Pa., were not speculating on their chances.

Spokesmen for GPU Nuclear Corp. said the Londonderry Twp. nuclear power plant will remain in "hot standby" status until Wednesday afternoon, when, barring Supreme Court intervention, GPU will begin a "deliberate, gradual power ascension" process.

"We are pleased with the decision and the court's prompt action," a GPU spokesman said.

Nuclear Regulatory Commission spokesman Joseph Fouchard said the commission also is "pleased with the court's action" and is ready to issue a letter next Wednesday to GPU Nuclear spell-

See RESTART—Page A2

The Patriot, Harrisburg, Pa., Wednesday, Sept. 25, 1985

Justice orders stay extension on TMI restart

By Mick Rood
Washington Bureau

WASHINGTON — U.S. Supreme Court Justice William J. Brennan Jr. yesterday extended until at least Friday a stay on restart of the undamaged Unit 1 reactor at Three Mile Island.

Brennan asked for comments by noon Friday from GPU Nuclear Corp., operator of TMI, and the Nuclear Regulatory Commission, which ordered restart May 29.

GPU Nuclear had stood ready to begin a gradual, three-month start-up process of Unit 1 beginning at 4 p.m. today when the stay granted by the 3rd U.S. Court of Appeals would have expired. The NRC had prepared detailed restart conditions for the Londonderry Twp. plant.

Final judgment on the 6½-year-old case could take weeks or months, Brennan's options include:

— Dismissing the only restart appeal in the Unit 1 case, filed yesterday by anti-nuclear group Three Mile Island Alert, and allow renewed operation.

— Ruling on his own that the stay should continue until the full court decides whether to hear an appeal on the merits of the case.

— Referring further review of the case to the full court.

Brennan is assigned to hear appeals of decisions by the circuit court, which refused last Thursday by a 10-2 vote to review the NRC restart order. A three-judge panel had ruled 2-1 on Aug. 27 that the NRC's order was proper. Judge Arlin M. Adams dissented.

Brennan yesterday ruled within five hours of TMI's appeal. Before the ruling, TMI's attorney, Joanne Doroshow, acknowledged the appeal might have been her last filing in behalf of the citizens' group.

"There have been no decisions in our favor. It's a long shot," she said of the legal struggle that began when the NRC kept Unit 1 shut down after the Unit 2 accident in March 1979 at TMI.

As of last night, TMI was the only one of four intervenors to file an appeal.

From Page A1

Adams' dissent. TMI has argued that some of the more than 155 conditions the NRC has placed on the TMI-Unit 1 operating license actually are license amendments that require a public hearing under the Atomic Energy Act.

Adams said both GPU Nuclear and the NRC staff had at one time referred to the restart conditions as amendments to a license the commission had formally suspended in August 1979.

"The purpose of [the Atomic Energy Act] is to provide a public hearing upon request whenever the scope of a nuclear reactor's authority is altered by 'granting, suspending, revoking, or amending of any license,'" Adams argued.

TMI, as had the state and



William J. Brennan Jr.
In charge of appeals

Inside:

- Browns Ferry plant won't produce power until April '86 — A14
- Louisiana nuclear plant goes into operation — A14

The commonwealth of Pennsylvania had planned a TMI-reload announcement yesterday, but Gov. Dick Thornburgh canceled so state attorneys could study Brennan's action.

The Union of Concerned Scientists had not decided by last night whether it would file a costly appeal to the nation's highest court.

Norman and Marjorie Aamodi, formerly of Coatesville, Pa., who have recently moved to New York, were expected to appeal. Their attorney, Alan Kanter of Philadelphia, was not available for comment.

In its petition to the Supreme Court, TMI leaned heavily on

See RESTART—Page A14

UCS in prior appeals, concentrated on the need for hearings on systematic falsification of coolant leak-rate reports to the NRC in 1978-79 by Metropolitan Edison Co. personnel. Met-Ed was convicted of criminal misconduct for the offenses, and individuals still are being investigated by the NRC.

The NRC has contended that Met-Ed's successor, GPU Nuclear, has changed safety procedures and agreed to bar from Unit 1 sensitive positions the employees implicated in the Unit 2 leak-rate rigging. The commission based its clean bill of health on investigations by the NRC Office of Investigations and on statements made by former U.S. Attorney David Dart Queen, who absolved some remaining utility executives of involvement in leak-rate falsification.

Stay against restart to be lifted

The Patriot, Harrisburg, Pa., Tuesday, Sept. 24, 1985

TMI foes ask governor's help

United Press International

A group of women opposed to the restart of Three Mile Island's undamaged nuclear reactor picketed the Capitol yesterday, then marched to Gov. Dick Thornburgh's office to make an 11th-hour plea for help.

"We're counting on the governor. We've got all our eggs in his basket," Paula Kinney told Thornburgh's press secretary, David Runkel, who met the group in the governor's reception room.

"Whatever it takes, he owes it to us... not to let that plant start till all the issues have been resolved," said Kinney of Middletown. TMI is located in nearby Londonderry Twp.

Thornburgh's office said no decision had been made whether to appeal to the Supreme Court a ruling last week by the 3rd U.S. Circuit Court of Appeals, which ordered that a stay against the restart of TMI's Unit 1 reactor be

lifted at 4 p.m. tomorrow.

The reactor has not been operated since its twin was crippled in March 1979 in a partial meltdown, the nation's worst commercial nuclear power accident. No other U.S. nuclear reactor has ever been down so long, then restarted.

"We're looking at the decision and the earlier opinions," said Roland Page, the governor's spokesman on TMI.

A spokesman for the Nuclear Regulatory Commission said "if there's nothing to stop us," the authorization to restart Unit 1 would be issued tomorrow afternoon by the NRC's Office of Nuclear Reactor Regulation in Bethesda, Md.

TMI Alert, an anti-nuclear group, said it will file an appeal with the Supreme Court, probably today. The organization also said it would demonstrate at TMI tomorrow afternoon, with some demonstrators prepared to be arrested. About 80 protesters have been arrested since the NRC approved the

Unit 1 restart in May.

Ten members of the Concerned Mothers and Women group picketed in front of the Capitol for about an hour before going to Thornburgh's office. They carried small American flags and signs, one of them reading, "If TMI opens democracy dies."

"This is the 11th hour and something must be done," said Joyce Corradi, who lives about three miles from the reactor.

"I have five children. I don't want them being raised in the community I've lived in all my life, next to a nuclear power plant run by a company that's been indicted for wrongdoing," she said.

Restart foes contend the NRC should hold hearings on the involvement by employees of General Public Utilities Nuclear Corp., the plant's operator, in the falsification of test records at TMI prior to the 1979 accident.

ing out various restart requirements.

The NRC came within minutes of issuing the letter Aug. 29 when the circuit court continued a stay on restart so the appeals denied yesterday could be filed.

TMI Unit 1 has not operated since February 1979, when it was shut down for refueling and maintenance. By order of the NRC, the plant remained shut down for improvements after the TMI Unit 2 nuclear accident in March 1979.

Restart opponents contend the NRC never held public hearings on some important management integrity issues, primarily the 1978-

Billion dollar cleanup puts life into Three Mile Island

By Frank Lynch
Patriot-News

The accident at the Three Mile Island nuclear generating facility on the Susquehanna River put both reactors in mothballs for six years.

But viewed from any angle — technical, public relations, legal or regulatory — all is not quiet at TMI.

Workers at the plant's Unit 2, the reactor that overheated and melted nuclear fuel in March 1979, are in the midst of a billion-dollar, technically challenging clean-up effort that will last at least through 1988.

And the fate of Unit 1, which was down for refueling at the time of the accident at its sister reactor, on Friday was in the hands of the U.S. Supreme Court.

As the court considers whether more hearings are needed before restart, company spokesmen say the plant is in a "hot standby" status and could reach full power within months.

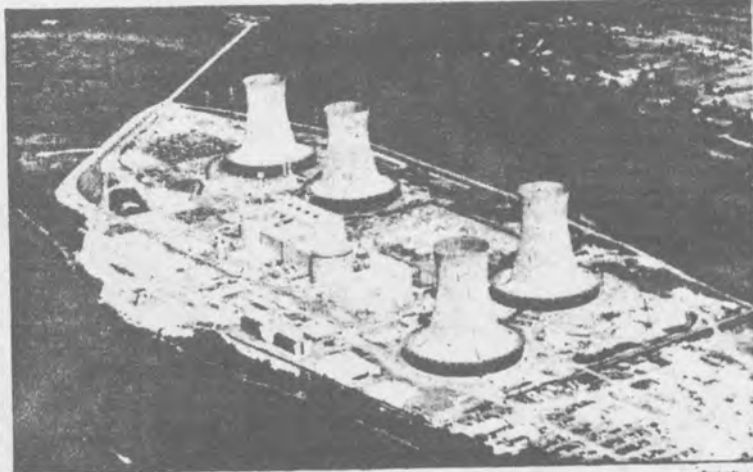
Meanwhile, General Public Utilities Corp., the owner of TMI, has mounted an extensive, expensive public relations campaign to convince Central Pennsylvanians that TMI can generate electricity "safely and reliably."

On another front, GPU lawyers are facing a massive number of personal injury lawsuits — at least 1,400 at this writing — filed in Dauphin County Court by area people claiming they or relatives were injured by radiation releases from the accident.

Those suits follow an announcement in February of a \$4 million settlement GPU reached with the families of 70 children who had filed accident-related suits. Altogether, the utility's insurers have paid about \$40 million in damage claims.

As the suits proceed through court, the state Department of Health this month released a long-awaited study that concludes that no increase in cancer cases can be attributed to the accident at Unit 2.

Regarding Unit 1, spokesmen



All is not quiet at TMI as cleanup continues pending an OK to restart

say the plant is ready to operate.

In April, workers plugged 233 tubes in the plant's steam generators, which convert water to steam that runs the turbines that produce electricity. The utility has plugged about 1,500 of the 31,000 tubes in both generators, and spokesmen said that number of plugged tubes would not affect efficiency or safety of plant operation.

GPU Nuclear, plant operator, has spent more than \$51 million repairing the generators since many were found to be corroded in November 1981.

TMI spokesmen this year have said the only thing needed to run the plant was approval by the Nuclear Regulatory Commission.

That was obtained on May 29. On that day the NRC, after hearing the equivalent of 100,000 pages of testimony over several years, and after delaying a restart decision on several occasions, voted 4-to-1 to lift shutdown orders it imposed on

Unit 1 the summer after the accident.

Unit 1 was down for scheduled refueling at the time of the accident at its sister reactor.

Days after the NRC restart decision, however, attorneys for the commonwealth and anti-nuclear groups asked the 3rd U.S. Circuit Court in Philadelphia to stay the restart of the plant until safety and management integrity issues are resolved.

A three-judge panel lifted the NRC order in June, but four weeks ago announced that no further hearings on safety or management integrity issues were needed for restart.

Two weeks ago, the full circuit court upheld that decision, paving the way for the Supreme Court motion.

Concerning Unit 2, here are some of the milestones in the last year:

— In May cleanup workers removed the 55-ton, 12-foot-high

plenum from atop the reactor. Removal of the plenum, which houses a reactor's control rod guide tubes, was the last major hurdle to be cleared before workers can remove melted fuel and damaged components inside the reactor.

Plant operator GPU Nuclear estimates that defueling should begin next month.

— The plenum lift followed an announcement by GPU Nuclear that remote television pictures of

the bottom of the reactor showed that some fuel melted during the accident.

At the bottom of the reactor, technicians found a mound of rubble — melted fuel and pieces of reactor equipment — estimated to weigh 30 tons. Based on what was found in the reactor, government and company experts conclude that temperatures inside the reactor reached about 5,100 degrees Fahrenheit during the accident.

GPU people said the video pictures give them a better idea of

what they will be dealing with when defueling operations begin.

— Last month 3,000 gallons of low-level radioactive water spilled on to the floor of the containment building, which houses the reactor, during a procedure to test a new filtering device. TMI spokesmen have said the spill will not delay cleanup.

— In the cleanup procedure, which GPU estimates will last through 1988, about \$600 million of the \$1 billion cost has been spent.

Isotope level up at TMI

GPU: Device used faultily

By Christopher Quinn
Patriot-News

Levels of radioactive strontium at Three Mile Island Unit 2 have been twice as high as previously thought because an instrument used to measure the isotope was incorrectly calibrated in 1981, according to TMI operator GPU Nuclear Corp.

But company officials yesterday said adjusted readings for the isotope, Strontium 90, still are well below maximum federal allowances.

GPU Nuclear said a beta spectrometer used to measure Strontium 90 was incorrectly calibrated in 1981 because directions for calibration were unclear and misinterpreted.

The incorrect readings were registered only for solid chunks and particles of the substance, which is produced in nuclear fission. Strontium 90 normally is contained in fuel rods during reactions, but it was released into the Unit 2

See RADIOACTIVE—Page A2

Power fails in TMI test

By Frank Lynch
Patriot-News

An electrical breaker failed and "smoked" during testing of the control rod drive system at Three Mile Island Unit 1 this week, accounting for the second electrical failure in the system this month, officials said.

A smoldering fire, described by plant officials as an "electrical arc," occurred about 1:30 p.m. Monday. The fire was caused by a "mechanical failure" in the breaker and was extinguished quickly by a plant operator, said TMI spokesman Lisa Robinson.

No emergency was declared, and the unit again is functional, she said.

On Sept. 7, a relay switch system that sends power to two of the reactor's eight control rods also shorted out and smoldered. A spokesman said at the time that failure caused no emergency at the plant, and the affected switch was replaced in several days.

Robinson said company officials didn't report Monday's incident publicly because it

See TEST—Page A2

The Patriot, Harrisburg, Pa., Saturday, Sept. 28, 1985

High court keeps TMI closed as state argues against restart

By Mick Rood
Washington Bureau

WASHINGTON — Three Mile Island's Unit 1 remains shut down under a U.S. Supreme Court order today while Justice William J. Brennan Jr. considers an appeal to keep it that way.

The commonwealth of Pennsylvania became the last of the interested parties in the case to file comments yesterday before a noon deadline. Earlier, TMI operator GPU Nuclear Corp. and the federal government filed arguments in favor of restarting the Londonderry Twp., Pa., nuclear power plant.

Brennan set yesterday's deadline after Three Mile Island on Tuesday appealed a 3rd U.S. Circuit Court of Appeals decision

Inside:

• Unit 1 cleanup on schedule; length of time on fuel removal unknown — B3

upholding the Nuclear Regulatory Commission's order allowing the plant to be started.

TMIA asked that the court maintain an order blocking the restart until deciding whether or not to hear the appeal.

Brennan or the full court could decide within a few days to dismiss the appeal, but if the court agrees instead to consider the case, and continues the stay of the restart order, it could take months for a decision.

The federal government argued yesterday that the court cannot keep blocking the restart simply "because it is a controversial nuclear power plant."

Acting Solicitor General Charles Fried said a TMI accident isn't "remotely likely" during the period in which the high court might want to consider hearing the case.

Arguing for the NRC, which ordered Unit 1 restarted on May 29, Fried said:

"[TMIA] is, in effect, asking the court to stay the operation of TMI-1 because it is a controversial nuclear power plant."

"It is especially improbable that the commission's expert judg-

See TMI—Page A5

ed from 1974-1978 without incident."

Commonwealth attorneys reiterated their argument that the NRC ordered restart without holding legally required public hearings on:

— Whether utility management was involved in leak rate falsification at TMI-2 in 1978-79.

— Whether utility management withheld TMI Unit 2 accident information from the NRC in 1979.

GPU Nuclear Corp. has denied management involvement in either instance.

Unit 1 was shut down for refueling at the time its sister Unit 2 was severely damaged March 28, 1979, in the nation's worst commercial nuclear accident.

Frank Standerfer, director of Unit 2, said removal of the fuel is scheduled to begin the last week of October, but the length of time it will take is still not certain.

"Uncertainty remains regarding details of the defueling opera-

TMI defueling still unsettled

Associated Press

Cleanup of Three Mile Island's damaged nuclear reactor has proceeded on time but TMI officials said yesterday that it's difficult to predict how long it will take to remove fuel from the plant.

Frank Standerfer, director of Unit 2, said removal of the fuel is scheduled to begin the last week of October, but the length of time it will take is still not certain.

"Uncertainty remains regarding details of the defueling opera-

tions, particularly their estimated durations, because of their first-of-a-kind nature," Standerfer said.

The Unit 2 reactor was damaged in March 1979 during the worst-ever accident at a U.S. commercial nuclear power plant.

Standerfer said a recent review of cleanup procedures at the Londonderry Twp. facility "has increased our confidence that planned activities will accomplish a safe defueling of the reactor while maintaining the plant in a stable and safe condition."

The fuel should be removed by the middle of 1987, with the total \$965 million cleanup to be finished by September 1988, according to TMI officials.

"It's possible that we could find things that could take us longer to defuel the reactor," said TMI spokesman Gordon Tomh. "There are a lot of the uncertainties because it has never been done before."

GPU Nuclear Corp., TMI's operator, said it has spent \$561 million on the cleanup as of June 30.

The Patriot, Harrisburg, Pa., Friday, Sept. 27, 1985

GPU Nuclear hits TMI Alert's 'procedural complaints' delay

By Mick Rood
Washington Bureau

WASHINGTON — GPU Nuclear Corp. has told the U.S. Supreme Court an anti-nuclear group's "procedural complaints" do not justify further delay of restarting Three Mile Island Unit 1.

Associate Justice William J. Brennan Jr. had asked on Tuesday that by noon today, other parties to the TMI case file responses to Three Mile Island Alert's petition to stay the restart pending a review by the high court.

It was unclear whether Brennan will act immediately on the response. This afternoon, refer the matter to the full court or lift the stay in either case. Three other TMI

restart intervenors, including the state of Pennsylvania, are expected to file comments this morning.

The Nuclear Regulatory Commission approved the Unit-1 restart on May 29, and the 3rd U.S. Circuit of Appeals in Philadelphia has affirmed the order.

TMIA's appeal is the last legal challenge in the way of renewed operation of the damaged Unit 1, which has been kept shut down since the accident at Unit 2 in March 1979.

In the first comment on TMIA's petition, plant operator GPU Nuclear's attorneys said the group had to justify a continued stay and court review by showing the NRC had "abused its discretion" in denying further safety hearings on TMI Unit 1.

The company argued the NRC had not abused its discretion. Rather, the NRC had made clear to parties in the case that conditions it placed on the Unit 1 license did not require public hearings in every instance.

TMIA has argued some of the conditions were really license amendments requiring public hearings. GPU Nuclear called the argument "a purely semantic distinction that should be disregarded."

GPU Nuclear also told Brennan that irreparable injury must be shown to legally justify a further stay on the Unit 1 restart. TMIA, just by contending there was a remote possibility of an accident, couldn't demonstrate injury, the utility said.

Restart of TMI-1 under way

Low-power testing planned for today

By Frank Lynch
Patriot-News

Final approval for restart of Three Mile Island's Unit 1 reactor has been given by a Nuclear Regulatory Commission official.

NRC Region One Administrator Thomas Murley gave his approval for restart of the undamaged reactor at 10:19 a.m., Philip R. Clark, chairman and chief executive officer of plant operator GPU Nuclear Corp. said.

The actual first step in the restart, based on approval given yesterday, began at 4:28 a.m. today.

Murley's approval was needed before the plant could begin producing a nuclear chain reaction.

The process leading to the reaction began when workers pulled six of the reactor's eight groups of control rods from the reactor's core, GPU Nuclear spokeswoman Lisa Robinson said.

At 5:50 a.m., workers started diluting boron concentrations in the reactor water. Boron inhibits the chain reaction.

Clark, at a press conference today at the TMI Training Center across from the plant, said "thorough, careful attention" was being given to the restart of the reactor, which has been shut down since the March 1979 accident at its sister reactor.

He said the chain reaction was expected to occur about 2 p.m. today, less than 24 hours after the U.S. Supreme Court decided not to continue a stay blocking restart.

Clark said the plant would be operating at about 1 percent power by tonight and would remain at that level for a couple of days. The reactor would be taken gradually to full power, which he expects will occur in about three months.

Clark said GPU Nuclear could begin selling power from TMI in about two weeks.

The mood of workers at the plant was good, Clark said. Control room operators "are pleased, confident and satisfied that they are able to do what they have been trained to do," he said.

Clark began his remarks: "Good morning. And I can say that

with somewhat more conviction than on prior occasions."

The north gate outside TMI, where about 15 demonstrators were arrested last night, also was quiet today. In reaction to the decision to allow the plant to be operated, anti-nuclear activists charged last night that "Democracy has died."

Clark answered the claim by saying, "The democratic process worked. The hearings were held and everyone had a chance to be heard."

The high court, by an 8-1 vote with Justice William J. Brennan dissenting, cleared the way for restart yesterday when it decided not to consider reviewing an ap-

See RESTART—Page A2

From Page A1

peal by the citizens group TMI Alert.

TMI Alert had sought hearings on the integrity of TMI operator GPU Nuclear Corp. The state and the Union of Concerned Scientists joined in the appeal.

Justices also lifted a court-ordered June restart stay that gave TMI time to appeal the Nuclear Regulatory Commission's May 29 approval of restart.

Despite the operations on the island, TMI said it still plans to seek another restraining order in the 3rd U.S. Circuit Court of Appeals today on an appeal to the court by various state officials seeking to lift Unit 1's license because of the character of plant management.

The appellate court ruled 10-2 last month against TMI's petition for safety hearings and the Supreme Court declined to review that ruling yesterday. The court provided no reasons for its decision, and its actions do not preclude their consideration of a formal appeal by TMI.

Brennan halted restart last

week and turned the case over to the full court Monday. TMI had argued to Brennan that restart would cause "irreparable, psychological" damage to people living nearby.

Unit 1, which was shut down for refueling at the time of the Unit 2 accident and kept shut by the NRC, has been heated to operational pressure and temperature for most of the past few months.

In commenting on restart, Thornburgh said today that "our principal concern is, now that the courts have spoken, that every caution be exercised in the restart procedures."

"This morning our own monitor from the Department of Environmental Resources, funded by the expanded appropriation we sought and received from the General Assembly, is on the scene and we will participate to the extent that is necessary in assuring that every precaution is taken."

Addressing the state's position not to continue legal challenges with TMI Thornburgh said: "Well, these are folks who have a different vantage point than I do."

"I'm not an ideological oppo-

nent of nuclear power. My concern is with safety and the operation of this particular facility. We've argued the case as far as we can go."

"We've been to the Supreme Court of the United States. We accept the rule of law and finding of that court, and it's time to move on and exert our effort to see that that restart procedure is in fact carried out in a cautious and safe manner."

TMI has based its restart appeal on the contention that some of what the NRC calls "conditions" on GPU Nuclear's license actually are license amendments that require public hearings.

Chief among the issues the NRC did not allow hearings on was the 1978-79 water leak rate falsifications at Unit 2. GPU Nuclear's predecessor company, Metropolitan Edison Co., was convicted of criminal misconduct and pleaded no contest to six other counts of rigging the NRC reports.

TMI and other intervenors wanted to discover in a public hearing the extent to which utility officials were involved with or condoned the leak rate falsifications.

The TMI case turned at the

regulatory level in the utility's argument that its operating company had been completely revamped and past abuses had been corrected enough to assure safe operation of Unit 1.

The Reagan administration endorsed restart.

The case turned in the federal courts on the strong precedent that federal judges rarely overturn decisions by agencies that have apparently fully exercised their expertise to reach a decision.

As the acting U.S. solicitor general, Charles Fried, told the 3rd Circuit Court:

"The commission held what is probably the most comprehensive adjudicatory proceeding that it has ever conducted. That hearing lasted for nearly six years, generating transcripts exceeding 33,000 pages [not including the prefilled testimony of nearly 200 witnesses and hundreds of exhibits] and an administrative record far exceeding 100,000 pages."

Staff writers David Morris, Christopher Quinn and Mick Rood contributed to this story.



State troopers remove protesters from north gate of TMI

15 arrested last night

TMI relatively calm today

By Wendi Taylor
Patriot-News

All was relatively calm early today at the north gate of Three Mile Island.

But last night, it was a different story.

For some it was the beginning; for others the end.

"It's just the beginning," Doug Bedell, spokesman for GPU Nuclear Corp. at Three Mile Island, said last night.

"Now we have to show we can run this plant."

But for 45 protesters who gathered at the north gate last night, it was the end of a six-year battle to block the restart of TMI Unit 1.

"This will be a solid demonstration by a lot of angry people," Eric Epstein of Three Mile Island Alert said as he made his way to the plant gate last night.

Carrying banners saying, "In God We Trust... TMI We Don't,"

Close-up:

- Permission to restart disappoints officials. Page F1
- From start-up to full power expected to take 3 months. Page F1
- Restart controversy has been a day-to-day story for 6 years. Page F1

and "RIP American Democracy Died Mar. 28, 1979," the group stood in a steady rain to herald what they called the "end of democracy."

Fifteen protesters were dragged or carried from the gate and arrested for blocking the utility company's right of way, a summary offense.

"It is an honor to be arrested for such a good cause," Epstein said. "This is unbelievable that citizens have to get arrested to be heard. We just have no choice. This is a disgrace."

When State Police Sgt. James

Crews came to arrest him, Epstein wrapped the red, white and blue banner he had been holding around himself and had to be carried away. It was the third time he had been arrested at the TMI gate.

"I think this shows who owns America," said Cherie Friedrich of Harrisburg. "All our representatives know how we feel, but corporate America is getting its way." Friedrich was arrested by troopers moments later.

TMI Alert urged people to leave the area for the first critical

See PROTESTS—Page A2

Protests

From Page A1

days of the restart.

"That is unfortunate advice," Bedell said. "The public should not be alarmed about this." He said GPU will earn the trust of the people with time.

But protesters continued to charge the plant's management with incompetence.

"These people just can't follow the instructions, and they are going to run a nuclear plant?" asked Wendy Smith of Harrisburg. "I've never been arrested before, but I'm tired of being afraid." Last night she was arrested.

"It brings back all the old feelings of six years ago. There's lots of anxiety," said Susan Shapiro of Harrisburg, who joined the demonstration.

"It's a funeral for a lot of us," said Kay Pickering of Harrisburg, one of the founders of TMI Alert that organized last night's demonstration. "I think the governor sold us out. He was not vehement enough in the cause."

TMI Alert today will file for an emergency injunction in the 3rd U.S. Circuit Court of Appeals in an effort to stop the restart. "We

have come too far to stop now," Epstein said.

Elizabeth Chavey, 62, of Middletown stood before the gate with tears in her eyes, waiting to be arrested for joining the protest.

"I will do what I have to do what GPU forces me to do. I have six children and grandchildren who I want to live. I think this is such an injustice," Chavey said.

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News Watch on the
Harrisburg Area

VOL. 5 NO. 7

NOV / DEC 1985

The Patriot, Harrisburg, Pa., Tuesday, October 15, 1985

Steam leaks found in TMI drain line

From staff and wire reports

Leaks have been detected in a line that helps drain steam from the turbine system at the Three Mile Island nuclear plant, a spokesman said yesterday.

The first leak was detected last week in a 3/4-inch metal tube that is part of the system, said TMI spokesman Gordon Tomb.

The leak was repaired Saturday morning, but another leak was detected in the same tube Sunday, Tomb said. TMI officials then decided to replace the entire line, he said.

The reactor returned to about 28 percent power Sunday evening, but at 2 a.m. yesterday another leak was found at a welding point on the line, Tomb said.

Steam with minute traces of radioactivity was released during all three leaking incidents, but another spokesman said there was no health hazard.

"It's totally inconsequential in terms of any health basis. It's not zero, but it's next to zero," said spokesman Doug Bedell.

Plant personnel were still working yesterday to repair the

Inside:

• Exec: TMI can be changed into solar plant for cost of fuel — A9

• Industry leaders: TMI lessons learned making nuclear power safer — A11

leak. Operators expected to have the weld repaired last night, Tomb said, and then reactor power would be increased to 15 percent overnight.

Tomb said the reactor would reach 40 percent power within the next few days. Plant operator GPU Nuclear needs approval from the Nuclear Regulatory Commission to then increase power to the next planned plateau, 48 percent. The reactor will remain at that level while tests are conducted.

Unit 1 at the Londonderry Twp. plant was restarted 12 days ago for the first time in 6 1/2 years. Tomb said the leaks were "one of the maintenance things we can expect to have."

The Patriot

Tuesday, October 22, 1985

Lift GPU licenses, brief asks

Associated Press

A federal appeals court yesterday was asked to strip GPU Nuclear Corp. of licenses to operate the Three Mile Island and Oyster Creek nuclear power plants.

The action was reported by Eric Epstein, spokesman for one of the plaintiffs, Three Mile Island Alert.

In a brief filed with the 3rd U.S. Circuit Court of Appeals in Philadelphia, the plaintiffs said GPU Nuclear should lose the licenses because of "deficient character," Epstein said.

Joining TMI Alert in the brief were two other anti-nuclear groups, New Jersey SANE and the Essex Safe Energy Alliance, and state Rep. Peter C. Wambach Jr., D-Harrisburg; state Sen. John J. Shumaker, R-Grantville; and Dauphin County Commissioner Lawrence Hochendoner.

Shumaker said management changes by the plant's owner, General Public Utilities Corp. of Parsippany, N.J., have not been meaningful.

"You can... play musical chairs. It is the same company. It is the same group. I don't think in the eyes of the public that much has changed. I think some have changed chairs," Shumaker said.

"There's a clear-cut pattern of ineptitude and incompetence," Epstein said.

The Unit 1 reactor at TMI in Londonderry Twp. was restarted 2 1/2 weeks ago for the first time since nuclear fuel melted in 1979 at the adjacent Unit 2 during the nation's worst commercial nuclear accident. Unit 2 remains closed.

The Oyster Creek plant, also operated by GPU Nuclear Corp., is in Ocean County, N.J.

The case began after the U.S. Nuclear Regulatory Commission denied a request to lift the licenses. The appeals court previously denied an emergency request to halt TMI's restart while the case is considered.

GPU Nuclear spokesman Doug Bedell declined to comment on yesterday's appeal.

Slight contamination of 9 reported at TMI

By Christopher Quinn
Patriot-News

Nine workers at Three Mile Island Unit 1 were slightly contaminated by radioactive gases, the plant operator said yesterday.

But the gases, that were released in small amounts to the atmosphere, decayed within 90 minutes, and the workers suffered no ill effects, according to Gordon Tomb, spokesman for TMI operator GPU Nuclear Corp.

The incident Monday in Unit 1 was reported to the Nuclear Regulatory Commission, and inspectors stationed on the island since Unit 1's Oct. 3 restart are investigating, NRC spokesman Karl Abraham said.

News of the accident was not released until yesterday, Tomb said, because the company did not consider it to be serious. The information was included in a weekly update of events at Unit 1.

The accident Monday happened while employees worked on a pump. About 150 gallons of radioactive water from a pressurized system spilled into floor drains in the basement of a Unit 1 auxiliary building, the company said.

The water vaporized as it spilled, releasing gaseous isotopes of xenon, krypton and argon. The gases quickly decayed into the radioactive gases rubidium 88 and cesium 138.

The skin and clothing of nine workers were contaminated by the gases. Tomb said workers whose skin was contaminated washed, but those with only contaminated clothing did not need to wash. Within 90 minutes, the rubidium 88 and cesium 138 decayed from the clothing, Tomb said.

The gases also were released into the atmosphere through the

See TMI—Page A6

TMI

From Page A1

plant's ventilation system, GPU said.

The maximum radiation level at the plant's boundary was low, amounting to no more than 2 thousandths of 1 percent of the federal quarterly limit, GPU said.

Abraham said NRC investigators are "looking at everything out there."

"If we find that there's some item out of compliance, we'll cite it, but I've not heard of any," he said.

Unit 1 remains at 48 percent of its power capacity as it undergoes a month of tests. It then will be taken to 75 percent of capacity, where it will remain for another month of testing.

Restart of the unit came after more than six years of studies and investigations by the NRC and others. GPU spent more than \$95 million modifying the plant after Unit 2 was crippled in a 1979 accident.

The Patriot, Harrisburg, Pa., Tuesday, October 22, 1985



The Patriot, Harrisburg, Pa., Wednesday, October 30, 1985

TMI-1 hits 35% output mark; Met-Ed rates to dip Nov. 8

Metropolitan Edison Co. customers can expect lower rates by Nov. 8 after an operating milestone was reached yesterday at Three Mile Island Unit 1.

Officials from GPU Nuclear Corp., operators of Three Mile Island nuclear power plant in Londonderry Twp. and the holding company for Met-Ed, said TMI-1 produced electricity at 35 percent of capacity for 100 consecutive hours by 3 p.m. That milestone means TMI-1 will return to Met-Ed's rate structure for the first time since the 1979 accident at TMI-2.

Company officials must give customers a 10-day notice of the rate change, which will take effect Nov. 8. They estimate the average residential customer's monthly electric bill will decrease by \$3.22, to \$44.35.

Discrimination charge denied by TMI operator

Associated Press

The operator of Three Mile Island is formally denying allegations of discrimination that led the Nuclear Regulatory Commission staff to propose a \$64,000 fine, officials said yesterday.

GPU Nuclear Corp. sent an eight-page response this week to the NRC's Office of Inspection and Enforcement, claiming it should not have to pay the proposed penalty.

"We believe that the vast bulk of the investigation indicates that the allegation is untrue," said Gordon Tomb, spokesman for GPU Nuclear Corp.

The NRC staff proposed the fine in August after investigating an alleged act of discrimination by the lead contractor in the cleanup of TMI's damaged Unit 2 reactor.

The NRC staff claimed that Bechtel Corp. discriminated against former employee Richard D. Parks, who accused the company in 1983 of making shortcuts to speed cleanup work.

Parks claimed he was harassed and intimidated after he raised safety concerns in February 1983

about the cleanup equipment for the reactor, which was crippled in the March 1979 accident at the nuclear plant, according to the NRC.

Parks had accused Bechtel and GPU Nuclear of not properly testing a crane that was to be used to lift the top of the damaged reactor. In July 1984.

GPU Nuclear said Parks' removal as alternate startup and test supervisor was part of an organizational change and was not a retaliatory act.

The company, responding to an allegation that it conducted "intimidating interrogation," said it questioned Parks only to determine if he had a conflict of interest similar to the one that led to the firing of his supervisor.

GPU Nuclear also said Parks' removal as site operations representative was initiated and voluntarily undertaken by Parks himself.

Parks was suspended with pay after he held a news conference in which he allegedly made inflammatory personal attacks, thereby destroying his credibility with his colleagues, GPU Nuclear said.

The Patriot, Harrisburg, Pa., Friday, October 4, 1985

Met-Ed bills will fall at the end of a roller-coaster ride

By George Weigel
Patriot-News

Metropolitan Edison Co. electric bills are headed for a roller-coaster ride.

Given the restart of Three Mile Island Unit 1, bills will take a dip when the plant reaches 35 percent of full output.

But bills would rise under a separate and unrelated rate case that entered its final phase yesterday before the state Public Utility Commission.

Then there's another dip Met-Ed proposed to the PUC last week to reflect a lower than estimated cost of buying power.

It's too early to tell in what order the ups and downs will occur, but it appears that when the dust settles, an average residential customer will be paying less.

Here's the scenario. Once TMI-1 is operating at 35 percent of full output for 100 consecutive hours, a settlement that is already in place and ap-

proved by the PUC will take effect.

The net effect of that settlement will be a \$47.5 million annual saving for customers, translating into a monthly saving of about \$2.15 for an average residential customer using 500 kilowatt-hours of electricity.

Separate from that, Met-Ed is finding that the electricity it is buying from other utilities is significantly less expensive than estimated.

"It's been a buyer's market for electricity this year," said Met-Ed spokesman R. Bruce McLean, explaining that overall production is up while usage has been down.

That prompted Met-Ed last week to file a request with the PUC to lower its energy cost rate by \$19.7 million a year.

The energy cost rate is the part of a customer's bill that recovers a company's cost of fuel to produce electricity or the expense of buying electricity.

Met-Ed officials estimate the proposed

cut would save an average customer about \$1.25 a month.

Separate from both of those actions is the rate case Met-Ed filed with the PUC in January. That involved a request for \$47.3 million more a year in earnings, or \$5.88 a month more for an average residential customer.

Hearings were held throughout the summer, and last month PUC Administrative Law Judge Herbert S. Cohen recommended that Met-Ed be entitled to \$19.9 million of its requested \$47.3 million.

The case entered its final phase yesterday as the three-member commission — operating two shy of its usual complement — began discussing the case issues.

Judging from the initial results, it appears that the commission's total is going to come out somewhere near the judge's.

State Consumer Advocate David M. Barasch said the commission's tally may even come in "a million or two" lower than Cohen's.

"We're pleased with the results so far," Barasch said. "The commission's figures appear to be close to the judge's, and his figures were very close to what we were recommending."

Met-Ed officials had no immediate comment on yesterday's action.

If the rate boost approximates \$19 million, it would roughly cancel out the proposed decrease in the energy cost rate.

And if those two nullify each other and TMI-1 resumes production without a hitch, the ultimate verdict should be lower rates for most customers.

Two of Cohen's main reasons for trimming Met-Ed's request were a disallowance of depreciation expenses for TMI-1 and a cut in the estimated cost to operate and maintain the Titus and Portland coal-fired generating stations.

Commissioners yesterday agreed with both of those recommendations. The depreciation decision cut \$9 million from the request, while the reduction

in expenses for the coal-fired stations took another \$7.4 million.

(Met-Ed will be able to resume recovering depreciation expenses when TMI-1 reaches 35 percent output and the pre-approved settlement takes effect.)

Commissioners went a step further than Cohen in cutting the request by lowering the rate of return Met-Ed stockholders will be permitted to earn on shares of common equity.

Cohen had recommended allowing an equity return of 16.4 percent, but the average amount suggested by the commissioners yesterday works out to 15.8 percent.

Even slight changes in the rate of return can translate into differences of thousands of dollars.

Met-Ed had proposed a 16.5 percent rate of return.

The commission is scheduled to discuss the remaining case issues Thursday. Final action is planned Oct. 24.

MY VIEW one reader's opinion

ERIC EPSTEIN



Eric Epstein is associated with TMI Alert, an anti-nuclear group opposed to TMI restart.

Area not ready for restart

EMERGENCY evacuation has recently resurfaced as an issue related to the restart of TMI Unit 1. Nowhere in the debate has anyone critically evaluated the details of the evacuation plan(s), or asked a very simple and basic question: Are the plans realistic/workable? Political officials and certain newspapers have been quick to say that pulling out of an evacuation plan or refusal to participate in drills would be "irresponsible" and "harmful." But the fact of the matter is that the evacuation plans are inherently flawed and riddled with faulty assumptions.

1. Evacuation plans for school children are incomplete and don't include contingencies in case bus drivers don't show up, in case children from the same family are bused to different relocation centers, and in case children experience mental trauma.

(Note: Evacuation plans call for children to be evacuated from school to predetermined sites, where they would be picked up by their parents. In an informal random survey conducted by the Susquehanna Valley Alliance in the summer of 1983, 85.4 percent of the parents questioned said they would not allow their children to be taken to a separate evacuation area.)

2. There are no specific plans for evacuation of the elderly, the handicapped, and the blind.

3. Farmers are classified as emergency workers and will be permitted to remain during an accident. To date farmers have no insurance for loss of livestock or crops, and have had no instruction in using dosimeters or potassium iodine for their own protection.

It is pointless to classify farmers as emergency workers if they haven't been taught how to use dosimeters. And equipping farmers with potassium iodine has only limited value in mitigating the effects of radiation. Furthermore it is logistically impossible for the farmer to rush to the county agent (where the dosimeter and potassium iodine are located), rush back to his farm, get all his livestock under shed, provide adequate food and water for a number of days and also protect his own health.

4. IN THE EVENT of another accident the chain of communications starts with GPU. Noting their record and previous handling of the 1979 accident, it is indeed naive to assume that they will disseminate information quickly, honestly and accurately.

5. There is no public information campaign to alert the public to the potential evacuation plan. Amish communities pose a unique problem since they do not utilize television, radio or telephone. Our Spanish and Vietnamese communities would also be at a disadvantage because of the language barrier.

Thus far county and state officials have been content to assume that the telephone directory and a periodic mailing adequately inform the public on where to go and what to do.

6. Evacuation routes are unrealistic at best and could turn into major problems. The main evacuation route for Lancaster County, Route 30, in normal time is considered a traffic hazard; in emergency conditions it could be total chaos.

Route 11-15, a major evacuation route for Harrisburg area is equally as congested and inadequate.

Also consider the implications of evacuating a large population on these roads during tourist season.

7. EVACUATION PLANS only encompass the population living in the "high-risk" areas or those who live within 10 miles of TMI. It is assumed that only 50 percent of this population will evacuate. What about those of us living in the "low-risk" areas of 20-50 miles from TMI? Has there been an invisible lead curtain erected to protect us that we don't know about? As of this date no evacuation plans exist for Harrisburg, Lancaster and York.

(Note: 67.4 percent of the respondents in the SVA survey said they would evacuate even though 62.9 percent said they wouldn't know where to go and what to listen to.)

8. On Feb. 8, 1984, the Federal Emergency Management Agency reported that Lancaster and Dauphin counties are ill prepared to adequately protect residents in the event of a nuclear emergency at TMI. The agency cited five major deficiencies and dozens of minor failures in the performance of those counties in a Nov. 16, 1983 emergency preparedness drill. Among the problems were that several municipalities never received the evacuation order, others received the orders late, and Lancaster County failed to operate a decontamination and relocation center.

What guarantees exist to prevent this type of performance from occurring during an actual evacuation?

the FORUM

Powerful few dictate morals

EDITOR:

SO, THE U.S. Supreme Court has voted 8-1 in favor of restart of TMI's (as yet) undamaged Unit 1 reactor (give them time). How ironic that the members of the Supreme Court should be called Justices. A spokesperson for TMI Alert stated that this is a sad commentary for democracy. How true. The issue of restart was brought before the voting public who responded with a resounding NO. So much for majority rule. So much for government of the people, by the people, and for the people.

I am also alarmed by the growing trend in this country toward censorship and the restriction of personal freedoms. The president wants an end to abortion. Certain movers and shakers in the government are demanding labeling of record albums and tapes for what they deem to be violent and/or sexually explicit song lyrics. Can book burning be far behind? Rev. Jerry Falwell, a friend of the president, wants communists in America to wear their beliefs on their foreheads so that they can be easily recognized. What comes next — should we round them up and put them in camps so that we can keep an eye on them? This is America, after all. Surely a small number of communist party members is the lesser of the two evils.

It is said that true communism, in the spirit of Karl Marx, does not exist. Neither, then, does true democracy exist, at

least not in this country. The TMI controversy, the trend toward censorship and the restriction of rights and privileges, are all in direct opposition to the Constitution and the Bill of Rights. Apparently we must once again, as our forefathers did so many years ago, fight for the personal freedoms in which they believed and for which they died. If we do not, the foundation upon which this nation was built will cease to exist. Be they right or wrong, Americans must not allow their morals to be dictated to them by the government, and never again must tens of thousands of us allow our voices to be stifled by a mere handful of individuals over whom we are not permitted any control.

—Mindy K. Yost, Middletown

Countdown

EDITOR:

THE ACCIDENT at TMI happened March 28, 1979: 3/28, the 87th day of the year; 278 days left. The atomic weight for Uranium is 238.

They started up Unit 1 on Oct. 3, 2,381 days after the accident: 6 years, 6 months and 6 days. That number is in the Bible, Book of Revelation, Chapter 13:18. Page 1388 in my Bible. Saturday, Oct. 5, is the 278th day of the year. There are 87 calendar days left. Octo in Latin means eight.

Thought you'd want to know.

I count. But what is more important than counting is thinking, and I just love to think.

—Rosemarie R. Madara, Harrisburg

The Patriot, Harrisburg, Pa., Friday, October 11, 1985

No democracy

EDITOR:

NOW THAT the Supreme Court has refused to stop the restart of TMI Unit 1, we have the answer for which we have been waiting.

We live not in a democracy, where the will of the people prevails, but in an oligarchy, where power is vested in a few in a dominant class or clique.

—A.L. Chapman, M.D., Wormleysburg

The Patriot, Harrisburg, Pa., Thursday, October 17, 1985

Official chided about delay in response on TMI

By Christopher Quinn
Patriot-News

LANCASTER — Area residents seeking a state Health Department cancer survey involving Three Mile Island should not have needed to picket the governor's mansion to get it.

That was the view of Joel Roth, a member of the Three Mile Island Citizens Advisory Panel on the Cleanup of Unit 2, who last night chided state Secretary of Health H. Arnold Muller for his department's failure to answer residents' requests for the study, which was released last month.

Roth said the department responded only after people picketed Gov. Dick Thornburgh's house for three days and asked state Sen. John Shumaker, R-Grantville, to intervene.

Muller, who attended last night's advisory panel meeting at the Public Safety Building here to explain the study, said results were released late because his department was rewriting and clarifying them. The study found the rates of cancer and of deaths caused by cancer within five and 10 miles of TMI to be no higher than normal.

The state conducted the study to determine if cancer rates increased around TMI after a 1979 accident crippled one of two reactors.

"It just seems that after 6½ years, the Department of Health might have been a little more responsive" to residents' questions, said Roth. Even after the study

was released, the department's attitude was, "We did it, we stand by it, there's no reason to discuss it," Roth said.

Department spokesman Bill Lindeberg said he answered by telephone or letter all questions about the delayed release of the study.

The study has come under fire since Oct. 6 editions of the Sunday Patriot-News reported the state may have diluted its results by including residents from outside its study area.

Statisticians and epidemiologists contacted by the paper said the state should have noted in its study that 28,610 people from outside a five-mile radius of TMI were included in five-mile study, and 122,000 from outside the 10-mile radius were included in the larger study.

Roth questioned Muller's description of the study as "scientific" because the state failed to note the diluted sample. Health Department officials have said they thought most people knew of the

dilution, which was necessary because remaining inside the boundaries would be impossible. Instead, the state surveyed residents throughout every municipality within the study areas, even if parts of the municipalities were outside the areas.

Health Department officials told the Sunday Patriot-News they meant to include a footnote on the dilution.

"Why did it take a month, and

See TMI—Page A2

From Page A1

why was it not brought out by your department rather than the press?" Roth asked Muller.

The state's study critiqued an earlier study, conducted by Marjorie M. Aamodt with the assistance of local residents, that found high cancer rates near TMI.

Muller said the local study was biased because many people were not interviewed who should have been, age and sex factors were not taken into consideration, some residents contracted cancer before the accident, and the areas selected were known to have high cancer rates.

Some of the residents who helped conduct the Aamodt study attended last night's meeting and attacked Muller's critique. They challenged Muller to release raw data supporting the department's survey.

Muller said results for the study were first written in scientific form but revised numerous times until they were understandable for laymen. Residents last

night demanded to see the first and scientific version of the results, but Muller said it no longer exists.

"We have been charged with selectivity" in the Aamodt study, said Jane Lee, who worked on the Aamodt survey. She said if the state refuses to turn over its data, "your study isn't worth any more than ours."

Muller said such data as names and addresses of people studied are confidential and cannot be released.

Panel Chairman Arthur Morris said Aamodt will attend the November meeting.

The Patriot, Harrisburg, Pa., Friday, October 18, 1985

Third leak found at TMI

Associated Press

A third minor leak on the non-nuclear side of the Three Mile Island Unit 1 reactor has forced a reduction in the reactor's power, a TMI spokesman said yesterday.

The reactor, which had been up to 40 percent of full power, was scaled back to 6 percent overnight after a leak was found in a drain line off the steam system that drives the plant's power-producing turbines, spokesman Doug Bedell said.

Last week, there were two leaks on a one-inch steam line. The latest leak, spotted by an auxiliary plant operator at 1:50 a.m., was in a weld placed on a new section of one-inch pipe that carries condensate from the steam before it reaches the turbines. Bedell said.

He said plant officials were working on repairs but did not know when they would be done.

Officials are putting the reactor through a three-month series of tests that will lead to resumption of full-scale operations.

Bedell noted technicians were unable to test the turbine and steam lines before the reactor was turned back on this month.

The Patriot, Harrisburg, Pa., Friday, October 25, 1985

TMI raises power of Unit 1 to 48 percent after testing

Three Mile Island's Unit 1 will be operating at 48 percent power and kicking out 377 megawatts of electricity for the next 30 days if all goes as expected.

Operators took the reactor up to 48 percent early yesterday after what TMI spokesmen call a "successful" two-day reactor trip test begun Monday. The test demonstrated "the operability of plant components" and the ability of personnel to safely shut down the unit.

During the shutdown, technicians fixed two leaks in steam tubes in the unit's non-nuclear system, said spokeswoman Lisa Robinson.

Unit 1 was restarted three weeks ago for the first time since the accident at Unit 2 in March 1979.

After the trip test, workers created a self-sustaining nuclear reaction at 6 p.m. Wednesday and increased power to 48 percent seven hours later, Robinson said.

During the next month, operators will receive additional training and operating experience, Robinson said.

The reactor can be taken above the 48 percent plateau only after utility operator GPU Nuclear Corp. receives approval from the Nuclear Regulatory Commission, which is monitoring the three-month power escalation to 100 percent.

Top state court overrules TMI protest case ruling

By Mary Warner
Patriot-News

The state Supreme Court has overturned a ruling that allowed nine demonstrators arrested at Three Mile Island to turn their trial last year into a forum for criticism of the nuclear power plant.

A Dauphin County Court jury convicted the demonstrators in August 1984 of obstructing a public passage. But the jurors called a news conference after the trial to say they were impressed by the defendants' expert witnesses and joined the defendants in opposing restart of the Londonderry Twp. facility.

The recent Supreme Court ruling does not affect the case of the nine demonstrators, but it appears to preclude the possibility of similar trials in the future.

In a unanimous opinion, the justices disagreed

with a Superior Court ruling that demonstrators arrested for trespassing at a Beaver County nuclear plant could argue in court that they were legally justified — and present expert testimony to try to prove it.

The Superior Court ruling, in January 1984, cleared the way for the TMI demonstrators to argue seven months later that they were justified in blocking a road at the plant, because of the danger posed by restart.

They presented expert witnesses who criticized the plant's design and warned of health hazards from low-level radiation.

Five other restart foes arrested in another demonstration and charged with only a summary offense were acquitted by District Justice William Heckman in June 1984 after they argued they were justified by

the danger of restart.

Those cases also are unaffected by the Supreme Court ruling. It would be double jeopardy to retry someone acquitted while the Superior Court ruling was in effect, said Dauphin County District Attorney Richard Lewis.

Pennsylvania law says defendants are justified in breaking the law — and therefore innocent — if they had good reason to believe it was necessary to prevent greater harm than they caused.

But judges can forbid that line of defense if they find that the evidence — even if a jury believed it — would not satisfy the law on justification.

In the Beaver County case, the Supreme Court said, the judge was right to forbid the trespassers at the Shippingport Power Plant to present a justification defense.

"Even if low-level radiation and nuclear waste were emanating from the plant... we do not find this to be the type of danger classified as an emergency sufficient to justify criminal activity," the court said in a unanimous opinion.

In addition, the court said, the trespassers must have known that their demonstration would not stop the plant operations. "Their act of criminal trespass was a deliberate and calculated choice, not an act that was urgently necessary to avoid a clear and imminent danger," said the court.

The state high court is also considering an appeal of a similar Superior Court ruling in a famous 1981 Montgomery County case. In that case, Daniel and Philip Berrigan and six other defendants entered a General Electric plant in King of Prussia in a protest against nuclear weaponry.

the FORUM

People's voice clear on TMI

EDITOR:

THIS LETTER is in response to "Bud" Wirtz and his "like-minded colleagues," who claim that the TMI vote was worthless. I would like to inform them that whether you call it a "non-binding referendum" or a "binding representative vote," does not change the results nor their meaning. Call it "opinion" or "vote," it denotes a statistical representation of the general population, in this case the citizens and people of the central Pennsylvania area affected by TMI. The difference between the two is that a vote leads to definite action, while an opinion can be disregarded and has no power. In fact, that is exactly why it was a non-binding referendum, had it been a binding vote, TMI would have been shut down permanently. The politicians, NRC, and GPU corporate bedfellows knew that, so they called a non-binding referendum vote to appease the people and conduct a farcical "exercise of democracy." That's why I didn't vote, which cancels out Mr. Wirtz's non-vote.

What makes Mr. Wirtz think that a "radically different outcome" would have occurred if the "referendum had been taken seriously by citizens on both sides of the issue." Statistically, the probability of non-voters pro and con should be the same from a given population. That fact, plus the 67 percent against, 34 percent for, restart voting results, truly represents the will of the majority of the people of our area. And I would be willing to bet that the majority of the pro-voters and sympathizers are tied to TMI either politically or financially.

If we want to talk about "misrepresentation of fact," let's focus in on the constant radioactive emissions that TMI is spewing into the surrounding area. No matter what type, quantity, or duration of emission, we are always being told that it is no hazard to the public health. We are usually told that the detected radiation after such a release is the same as or slightly higher than "background" — background radiation being what would be in the environment naturally, had TMI not

been there. Common sense will tell you that if you add radioactivity to the already existing radioactivity, you'll have more than what you started with. So, after a release it's always above background radiation, whether it's detected or not. And no one knows what is the safe limit of radiation exposure, if there is one.

The fact is that generating electricity via nuclear power is big bucks, which takes precedence and wins out over the health of the exposed people of this area, "nothing more and nothing less." So much for statistics and democracy.

The fact is that only a binding referendum vote will put this issue to rest, and give the people of this area peace of mind permanently. If GPU and its sympathizers are so confident that the people in this area want the plant operating they shouldn't avoid such a vote, in fact they would welcome it. So, I offer them a challenge. Let's wait and see what their response is, for that will surely be "nothing... further from the truth!"

—Carmen La Rosa, Harrisburg

—The Patriot, Harrisburg, Pa., Wednesday, October 21, 1985

2 more 'low' leaks turn up at Unit 1

Associated Press

Two more leaks have been found in the non-nuclear system of the Unit 1 reactor at Three Mile Island, a TMI spokesman said yesterday.

The leaks were detected Monday night after a planned "trip test" that temporarily shut down the Londonderry Twp. reactor, spokesman Gordon Tomb said.

He said the leaks, inside the containment building, released steam and water that contained "traces of radioactivity," but posed no health hazard. Some steam containing traces of radioactivity was vented to the atmosphere during the reactor trip, Tomb said.

"All operating nuclear plants have minute releases of radioactivity during normal operation. But these amounts are so low they are undetectable off the site on a daily basis," Tomb said.

One of the leaks was found in a flange connection, and the other in

TMI fallout

EDITOR:

IT IS my belief as well as most of the scientific community that we will not know how many lives will be affected by the radiation fall-out created by the March 1979 accident at Three Mile Island.

If we are looking at the dollars-and-cents issue, what about the costs of dismantling a nuclear plant? The Shippingport plant is now ready to be shutdown. They don't know how long it will take. The cost of dismantling will be absorbed by the consumer and it will be costly. The nuclear waste has to be moved somewhere to be buried and through populated areas.

What about nuclear waste? We are running out of safe places to store it! Clean water and clean air are vital to our well-being. We must by all means protect these two precious commodities. We must save them for our children, grandchildren and future generations. To keep polluting and killing the air and water is reckless.

—Diane M. Baxter, Harrisburg

The Patriot,

Harrisburg, Pa., Wednesday, October 23, 1985

TMI 'marked deck'

EDITOR:

FOR WHAT purpose or reason has our government deliberately allowed the nuclear establishment to slowly destroy the human species with intolerable levels of radioactive emissions and to even bomb the very citizens they are claiming to protect? We need no other enemy. What we are going through is not supposed to happen in our democracy — in America. We have been betrayed by our governments. Those responsible are traitors.

Political promises or threats should never be a consideration when human lives are at risk. Governor Thornburgh failed in 1979 to protect the people of this Commonwealth, as did the United States Nuclear Regulatory Commission. Since then — these administrations have participated in the cover-up of the severe radiation induced health effects from the Three Mile Island accident. How long does the Pennsylvania Department of Health think they can get away with hiding the truth?

Didn't you ever wonder why a waitress and a housewife raised the key issues before the Atomic Safety and Licensing Board hearings for Unit 1 restart proceeding (the cheating by operators, the health effects and radiation symptoms, the falsification of leak rates and the steam tube problems)? Why? During those hearings the state didn't even support the intervenors on the leak rate falsification issue — the very issue GPU was found criminally guilty of in federal court? Why? Were the attorneys for the commonwealth in the hearings protecting the health and safety interest of its citizens, or were they just there — protecting the "office of the governor"?

For six and one half years we have been seeking answers about the TMI accident and the health problems that have resulted, only to find more questions needing to be answered. The TMI accident is not over. Democracy really doesn't exist in America anymore. It has

been disassembled and is slowly being buried, along with our VOTE, lie by lie and injustice on top of injustice.

I am bitter and angry. We believed in the system but the dealer used a marked deck and made up new rules whenever he wished. The result is thousands of pages of memory loss and half truths and a restarted reactor. The "lessons have not been learned." Perhaps the next reactor accident will happen in a community where people won't let themselves be so abused. Perhaps the doctors and attorneys in that community will come to the aid of its neighbors, instead of denying what happened.

—Mary Stamos Osborn, Harrisburg

big government overrule their wishes, have lost faith in "the system." This lack of faith could easily translate into a lack of faith in business ethics, because if people lack faith in government and in their future, then they will be hesitant to invest in long term business ventures.

Despite the fact that America, once the world's greatest democracy, now more properly can be called an oligarchy, our politicians, up and down the line, no doubt will continue in graduation speeches to students and in Fourth of July orations to profess that America is a democracy. But behind their pontifical expressions and smug complacency must lie the constant worry that sometime, someone, somewhere, in one of those audiences, will rise to set the record straight.

As the Union of Concerned Scientists states ("Nuclear," fall 1985): "In the current climate, the regulatory process frustrates any effective response to the views and wishes of the citizens who directly bear the consequences of accidents."

To the nagging question: "If people don't want TMI, who does?", must now be added the equally penetrating question, In the words of the Bible: "For what shall it profit a man, if he shall gain the whole world, and lose his soul?" (Mark 8:36).

If the price of TMI restart is a loss of faith in democracy, then that price is one that this country cannot afford.

—John H. Murdoch, Camp Hill

TMI safe?

EDITOR:

I AM "up to here" with all the "say-nothing" newsprint devoted to the GPU-TMIA controversy.

Today (Oct. 10) was a classic case in point. Now that I have read the report as published in the paper about the state Health Department study and the Amadot study — what do I know about TMI and cancer for sure? Nothing! Objective truth, real, meaningful statistical significance, if there is any, pro or con is now "down the tubes." Does the paper provide enough evidence to interpret either side's results objectively? No. Does the Patriot attempt to provide another interpretation backed by any authority — of course not!

By now everyone should know three things which I believe can be demonstrably shown to be beyond doubt:

1. Sooner or later, unless there are dramatic changes in population growth, we will need nuclear power. It won't get cheaper, etc.

2. The people who build nuclear plants and the people who manage them care more for the "buck" than any needs of the people or sense of altruism about their safety.

3. The obstructionists won't listen to any nuclear alternatives — they are dead set against nuclear in any form, any time, anywhere.

I was looking to the paper for help in seeing beyond this battle of words. The antagonists are always careful never to come out in print directly contradicting one another. Experts abound who can justify either side.

Can we get a dispassionate appraisal of Amadot and state studies from a third party?

—William Bolza, Harrisburg

The Patriot, Harrisburg, Pa., Tuesday, Nov. 26, 1985

TMI Unit 1 jumps to 75% of full output

The operating level at the Three Mile Island Unit 1 reactor was increased to 75 percent of full power over the weekend.

Operators at the Londonderry Twp. nuclear plant gradually increased the power from 48 percent starting at 2 a.m. Saturday and it reached the 75 percent level about 15 hours later, according to Gordon Tomb, spokesman for GPU Nuclear Corp., plant operator.

Unit 1 will remain at the 75 percent mark for at least a month, while all six shifts of operators gain experience operating the plant at the higher level.

Operators briefly halted the increase Saturday at 60 percent to check plant conditions and control systems. The escalation was halted again at 65 percent to test turbine valves, plant officials said.

Tomb said the plant should be ready for operation at 100 percent power by Jan. 1, if the Nuclear Regulatory Commission approves the increase.

The increased output is the highest level of power at Unit 1 in 6½ years. The reactor was shut down for refueling shortly before the accident at the TMI Unit 2 reactor on March 29, 1979, and did not restart until Oct. 3.

The increased power means the plant's output increased from 377 to 630 megawatts, Tomb said.

The Patriot, Harrisburg, Pa., Monday, Nov. 18, 1985

Restart a mistake

EDITOR:

WHEN I relocated to the Harrisburg area in May 1985, the TMI-I restart controversy was nearing its peak. I did not have a strong opinion on the issue and, if anything, favored restart of the unit. As the restart vote approached, and after speaking with many opponents, it became clear that many opponents of restart were not against nuclear power as a concept. A considerable percentage of people against restart did not trust the owners, operators, NRC or builders of the facility.

After reading about the problems which have occurred since restart — leaks, venting, worker contamination — it appears that the opponents based their opinions on more than just hysteria.

As usual, the releases and small accidents have not exceeded "safe" standards, but the continuing stress, whether conscious or subconscious, on the surrounding population has begun once again. Even if continual exposure to small doses of radiation are not considered "dangerous" by federal standards, the continual stress and related ailments can be measured in human lives.

It appears that the unit was not prepared to restart. My initial opinion can be characterized with the restart decision — a big mistake.

—Steve Socash, Summerdale

TMI costs up

EDITOR:

REGARDING Mr. G. Beane's TMI restart letter of Nov. 6, his logic would have us believing that anti-TMI protesters have threatened and held up the restart, thereby causing the cost of electric to go up. Good grief, these people had a right to protest against it. I'm just happy no one used dynamite. It is amazing that anyone could forget so soon it was shady management and workmanship that led to the accident. The people living there had their very existence threatened by the accident. Why does he need a body count?

Why doesn't he realize that we came very close to (within hours of) a meltdown. This would have adversely affected every human, animal, and plant in our area within 60 or more miles of TMI. Life would have ceased here.

Let me ask Mr. Beane where he would be living now and who would have reimbursed him for his home or job lost — the federal government, the owners of TMI? Sure! So, OK, thank God it didn't happen. We only got a little "harmless" radioactive air, right? This guy seems more

worried about protesting auto accidents!

More correctly, I think possibly the cost to clean up this nuclear blunder will finally come home to TMI's management where it belongs. They need to come up to full productivity with Unit One to stay in business. They must make money now. Unit One is already leaking, according to numerous Patriot-News articles, and several small accidents have occurred.

—Ray Lockard, Harrisburg

Funky Winkerbean



Injury claims against TMI's owners exceed 1,500

A suit on behalf of 13 people and three estates brings to more than 1,500 the number of personal injury claims in Dauphin County Court against the owners of Three Mile Island.

Since February, more than 890 claims have been filed in county court by people with cancer, anxiety and other ailments — or by the estates of people who have died since the 1979 accident at the Londonderry Twp. nuclear plant. More than 600 additional claims have been filed by the parents and spouses of those people.

The plaintiffs say the accident caused emotional distress and exposed them to radiation that increased their risk of cancer and other serious illnesses.

The defendants are General Public Utilities Corp., owner of the plant; its subsidiaries Metropolitan Edison Co., Jersey Central Power & Light Co., and Pennsylvania Electric Co.; plant designer Babcock and Wilcox Co.; its parent company J. Ray McDermott & Co.; engineer Burns & Roe Inc.; and Catalytic Inc., a subcontractor at TMI.

GPU maintains that not enough radiation escaped during the accident to harm anyone, and health studies conducted since the accident have not turned up radiation-related problems. But TMI critics have attacked the studies; more are under way.

Plaintiffs, their current addresses, and their injuries as described in the suit filed yesterday are:

Christine M. Brown of Steelton, cystitis, endometriosis and bowel blockage.
Mary L. and Walter I. Glassmeyer Jr. of Hershey: He suffered bladder cancer, Barbara Magill of Steelton, executive of the estate of Frank Kiren, who had

lung cancer and died in July, and Margaret L. Kiren, who had breast and bone cancer and died in September 1984.
Myrtle C. Dobson of Steelton, administrator of the estate of Ivesler Dobson, who had kidney and heart disorders and died in August 1980.

Evelyn Shumaker of Harrisburg, who suffered a cerebral hemorrhage and cancer of the colon and lymph nodes.
William L. Potts Jr. of Steelton, who suffered colon tumors.

Gerald L. and Luella E. Elvner, parents of Christine M. Elvner, who suffered multiple birth defects, including absence of thumbs, club hands, a hip dislocation, split cervical vertebrae and others.

Dorothy McElwain of Lykens, cancerous tumor of the eye.
Mary E. and Charles Zeigler of Camp Hill: She suffered macular degeneration, high blood pressure and other ailments.

The Patriot, Harrisburg, Pa., Tuesday, Nov. 1, 1985

Daily Background Record

DAILY RADIATION READINGS FROM THE MONITORING STATIONS IN THE VICINITY OF THREE MILE ISLAND NUCLEAR STATION WERE AVERAGED AS FOLLOWS:

November 27 (12:00 P.M.) to November 28 (12:00 P.M.)	0.007-0.010 mrem per hour
November 28 (12:00 P.M.) to November 29 (12:00 P.M.)	0.004-0.008 mrem per hour
November 29 (12:00 P.M.) to November 30 (12:00 P.M.)	0.004-0.008 mrem per hour
November 30 (12:00 P.M.) to December 1 (12:00 P.M.)	0.004-0.008 mrem per hour
December 1 (12:00 P.M.) to December 2 (12:00 P.M.)	0.004-0.008 mrem per hour
December 2 (12:00 P.M.) to December 3 (12:00 P.M.)	0.004-0.008 mrem per hour
December 3 (12:00 P.M.) to December 4 (12:00 P.M.)	0.004-0.008 mrem per hour

These readings are consistent with the best available Environmental Protection Agency record kept for the month of November which shows 0.004-0.010 mrem per hour.

The readings could represent TMI as compared with background radiation levels that are present in other areas, as compared with background radiation levels in the vicinity of Three Mile Island nuclear station. The readings are reported from 50 to 100 meters per hour.

We thought you should know!

GPU Nuclear

A Subsidiary of General Public Utilities Corporation

SURGEON GENERAL'S WARNING: Smoking Causes Lung Cancer, Heart Disease, Emphysema, And May Complicate Pregnancy.



Midstate in brief

The Patriot, Harrisburg, Pa., Thursday, Nov. 28, 1985

First samples of TMI concrete taken

A robot-like vehicle has obtained the first samples of concrete from the basement of the containment building at the damaged Three Mile Island Unit 2 reactor.

Plant operator GPU Nuclear said the samples were taken Tuesday from interior concrete walls which were contaminated in the March 1979 accident.

The samples will be analyzed at the site to determine the depth of contamination in the walls. The information will be used in planning the decontamination of the basement, GPU Nuclear said.

The sampling was done by a robot-like vehicle rather than by workers because of high radiation levels in the basement, GPU Nuclear said. The samples were taken at heights of approximately two feet and eight feet above the basement floor.

The Patriot, Harrisburg, Pa., Tuesday, October 29, 1985

Cleanup to start this week on Unit 2's nuclear debris

By Frank Lynch
Patriot-News

The nuclear rubble created by the 1979 accident at Three Mile Island will be cleaned from the Unit 2 reactor beginning this week.

Standing on a 6-inch-thick rotating steel platform, workers will use long-handled tools to remove the rubble at least 20 feet below them in the water-covered reactor core.

The defueling, a technically challenging procedure in the \$1 billion cleanup, will last 16 to 18 months.

Franklin R. Standerfer, vice president and director of Unit 2 for plant owner GPU Nuclear, said the procedure poses no threat to public health.

Standerfer said the defueling, which "will occur in phased, deliberate fashion," begins with equipment testing and

manipulation of large debris chunks on top of the reactor core.

In the March 1979 accident, the reactor lost vital cooling water causing nuclear fuel and core components to melt. Officials estimate about 100 tons of uranium dioxide fuel and 50 tons of core equipment are still inside the reactor vessel.

The fuel is prevented from "going critical" by boron, a chemical in the reactor's water that acts as a "nuclear poison."

Plant spokesman Gordon Tomb said the core once stood 12 feet high in rows of 177 fuel assemblies. Now nearly all of the top 5 feet of the core has collapsed into a bed of rubble about 3 feet deep.

Officials are not sure what the core looks like below that, although a substantial amount of core material — about 20 tons of it — has sifted to the bottom of the reactor vessel.

In addition to some fuel assemblies that are partially intact, officials said the size of the debris varies, from as small as a grain of sand to chunks as large as baseballs.

Five-man defueling crews, who will be shielded from the core by about 20 feet of water and a 6-inch-thick steel platform, will use the long-handled tools, remote vacuuming equipment and a television viewing system to load the canisters underwater.

Some of the debris will have to be cut or broken so it can be fitted into the canisters. Tools attached to the long handles include saws, chisels and buckets and remotely operated bolt cutters, scoops and claws.

After the canisters are filled, they will be taken to an underwater storage area nearby. Later they will be sealed in shipping casks so they can be transport-

ed to a government research facility for study.

Standerfer said the first shipment of TMI rubble will leave the plant in the spring.

Meanwhile, another cleanup official said today that radiation exposures to workers at TMI-2 "have been kept quite low."

James Hildebrandt, director of radiological control, said the number of person-rems (a measurement of radiation exposure to humans) so far this year is 544 for cleanup workers. He said that contrasts with an average of 800 person-rems a year for a nuclear plant in normal operations.

Since the accident in 1979, TMI-2 employees have received 2,634 person-rems, while workers at most plants sustain 5,400 person-rems over the same period. He said the figures "are lower than most people realize or appreciate."

B6—Sunday Patriot-News, Harrisburg, Pa., November 3, 1985

GPU denial of alleged harassment raises old question

By Mick Rood
Sunday Patriot-News

WASHINGTON — A \$64,000 fine levied against the operator of Three Mile Island has become an old, but still controversial \$64,000 question.

The Nuclear Regulatory Commission staff had proposed the fine against GPU Nuclear Corp. for the company's alleged harassment of Richard D. Parks, once a senior engineer on the Three Mile Island Unit 2 cleanup project.

The fine was announced in August, almost 2½ years after Parks held a national news conference in March 1983 to say GPU Nuclear was bypassing safety procedures in the cleanup operation.

The harassment violation was the second most serious citation the NRC can issue against a utility from among five grades of severity.

NOW, AFTER being granted more than a month's delay to respond, the utility denies that the manner in which Parks was handled was anything other than sound management practice.

If the NRC Office of Inspection and Enforcement insists on the fine, GPU Nuclear can demand a hearing.

"GPU Nuclear believes that Mr. Parks was not retaliated against for having raised safety concerns," the utility said in an Oct. 21 response to the NRC. "The investigations confirm that management actions with regard to Mr. Parks were responsible, appropriate, and do not constitute re-



Richard D. Parks
Alleged cleanup shortcuts
tailiation."

After Parks took his safety complaints to the NRC and held the news conference, he was suspended with pay. A U.S. Labor Department review found that Parks was subjected to "harassment and intimidation" in violation of NRC non-discrimination regulations.

PARKS' FORMER employer, Bechtel North American Power Corp., then the lead cleanup contractor at TMI, settled with Parks by arranging a job for him elsewhere in the company in California. Bechtel fired Parks shortly thereafter.

Parks later held another nuclear industry job for five months and was fired without cause, he said. He is unemployed now and living in California.

"Their [GPU Nuclear] complete denial didn't surprise me," Parks said in an interview last week. "They have managed to get the NRC to play along with them

before, and they're trying it again."

Parks said that while the NRC Office of Investigations had relied heavily on the Labor Department's upholding of his harassment charges, the investigators also confirmed points made by the Labor Department. The sequence of events was hard to dismiss, he said.

"EVERYBODY [at TMI] was completely happy with me until I opened my mouth," Parks said.

The utility dismissed the Labor Department's finding of retaliation against Parks as "preliminary and cursory, not necessarily reliable and simply incorrect." Its point-by-point rebuttal included:

✓ Parks' removal from a cleanup site group overseeing operation of the polar crane at Unit 2, later to remove heavy debris inside the reactor, was simply to balance membership in the group (Test Working Group) between various cleanup departments. Parks claims he was removed in late February 1983 after he began objecting to the adequacy of tests on the polar crane before it was used.

✓ Also in February 1983, GPU Nuclear said its own consultant's probe of the Parks case found that at a meeting with Bechtel supervisors about the situation, Parks was not "improperly questioned or intimidated."

✓ The utility said Parks was later reappointed to the Test Working Group, but removed again at his own request.

✓ Finally, the company claims that Parks was suspended with

pay after the engineer's news conference because, in addition to making safety allegations, he made "inflammatory personal attacks" and "created a poisonous atmosphere" at the TMI site.

In a parallel and even slower-moving investigation, the Inspec-

tion and Enforcement Office is still considering whether to upgrade a non-line reprimand of GPU Nuclear for the safety procedure violations raised by Parks and two other site engineers.

NRC staff member Herzel H.E. Plaine wrote Parks in November

1984 that the NRC staff had concluded — after months of differences of opinion — that there was "evidence of a deliberate circumvention of [cleanup] administrative procedures." The NRC, Plaine said, would consider revising its penalty.

The Patriot, Harrisburg, Pa., Friday, Nov. 22, 1985

Belt buckle lifts TMI-1 power

United Press International

A worker at Three Mile Island caught his belt buckle on a switch in the control room of TMI's Unit 1 nuclear reactor, briefly increasing the power of the unit's turbine above the current federal limit, plant operator GPU Nuclear Corp. said yesterday.

The incident, which boosted the power of the electricity-producing turbine from 48 percent of capacity to 53 percent, occurred Tuesday at the Londonderry Twp. plant, GPU Nuclear spokesman Douglas H. Bedell said.

"It [the jump in power] was immediately signaled to the operators and corrected," Bedell said. "It was not a serious incident. The whole incident took about a minute."

Unit 1 was restarted Oct. 3. It had been idle since its twin was wrecked on March 28, 1979, in a near-meltdown, the nation's worst commercial nuclear power accident.

As part of the restart plan approved by the Nuclear Regulatory Commission, the plant is in a monthlong holding point at 48 percent of operating capacity.

TMI Alert Inc., an anti-nuclear group, disclosed the buckle incident in a news release detailing a number of what it called serious incidents at TMI since the restart.

Bedell said the temporary turbine power increase was one of 11 minor incidents listed in weekly operation reports by the NRC and the plant. He said none of the 11 incidents posed a threat to the health of the workers and the public.

"Our view is that these were all minor — typical in operating nuclear plants or, indeed, any plant of our size," Bedell said.

Panel discusses TMI water disposal

By Mick Rood
Washington Bureau

WASHINGTON — What may be the scientifically simplest nuclear waste disposal task at Three Mile Island remains undressed:

How should GPU Nuclear Corp. get rid of the 860,000 gallons of almost wholly decontaminated wastewater from the TMI Unit 2 accident?

The water has been stored on site at the Pennsylvania facility since it was treated three years ago.

The subject came up yesterday at a meeting of the Nuclear Regulatory Commission's Advisory Panel on the Decontamination of TMI Unit 2.

Arthur E. Morris, mayor of Lancaster, Pa., who chairs the advisory panel, and Lancaster resident Thomas Smithgall said the group wants to explore water disposal options.

But William Travers, director of the NRC's Unit 2 cleanup office, said GPU Nuclear won't make a proposal on the matter until next year and probably won't act on it before 1987.

The utility would prefer to release the water into the Susquehanna River.

NRC technical staff members have said in the past that dumping it would leave radioactive traces in the river well below federal safety guidelines.

But central Pennsylvania residents, especially those downstream from the TMI plant that is in Londonderry Twp., raised a furor and went to federal court.

The NRC agreed several years ago not to approve a disposal method without making the decision itself and holding a public hearing.

Further, U.S. Rep. Robert Walker, R-East Petersburg, has annually attached an amendment to the Energy Department's TMI cleanup aid bill to prevent dumping of the Unit 2 water. Walker made the claim in 1981 that his amendment "effectively stops anyone from dumping that water, ever, in my opinion."

Discussion at yesterday's meeting made it apparent that if it weren't for public sentiment, the commission would have sanctioned dumping years ago.

Travers reiterated four basic disposal methods the NRC staff has discussed in the past:

— Storing the water permanently on the island.

— Slowly evaporating the water via cooling towers.

— Making slabs of cement with the decontaminated water, airtight them out and then burying the cement off site.

— Releasing the water gradually into the Susquehanna.

The NRC has precluded the first option with its policy that TMI should not become a

permanent waste repository — even for low-level wastes.

Travers mentioned that the 860,000 gallons of water contain .02 curie of strontium, .06 curie of cesium and 800 curies of the much less dangerous tritium.

By comparison, Travers said, normally operating nuclear reactors release between 500 and 1,000 curies into rivers annually. Panel member Thomas B. Cochran, a physicist, mentioned that the larger Savannah River plant in South Carolina is permitted to release water containing 100,000 curies annually.

Commissioner Frederick Bernthal called the amounts of radioactivity in the TMI-2 water "minuscule."

"I just want to be sure it's looked at," Chairman Morris said. "It may not be a technical answer as to health effects, but more of a political concern and a public concern."

Travers said the utility could "just come in" and propose release of the water into the river, but "obviously it's a much more sensitive issue than that."

GPU Nuclear spokesman Douglas Bedell confirmed yesterday that the company is not in a hurry to address the potentially volatile disposal issue.

"The process of disposing of it might be simple, but the process of getting that approved might be very difficult. We will be proposing something next year, but it's just not a very high priority now," Bedell said.

N-firm likes man fired from TMI

Cheating incident prompted dismissal

By Jeff Barker
Associated Press

WASHINGTON — More than four years after his dismissal at Three Mile Island because of a cheating incident, a nuclear industry instructor is doing an "outstanding" job in Maryland.

A Nuclear Regulatory Commission special master found in April 1982 that Gregory Hitz of Elizabethtown, Pa., engaged in "a pattern of cheating" on operator licensing examinations required by the NRC. The report said he had been fired in August 1981.

Today, Hitz, who was never criminally prosecuted, heads a department of 20 people at General Physics Corp. of Columbia, Md. The firm provides training and engineering services to the power and defense industries. Hitz instructs operators and technicians on pressurized water reactors, and develops course training material.

Hitz's continued employment in the nuclear industry was the subject of a letter last week by Rep. Edward Markey, D-Mass., to NRC Chairman Nunzio Palladino. Markey asked that Palladino consider the propriety of Hitz's working for General Physics. He asked the commission whether it had management integrity standards for firms doing work for the NRC or its licensed utilities.

The NRC is preparing a response, spokeswoman Susan Gagner said.

Hitz was identified only as "O" in the special master's report, which said he allowed an unidentified co-worker, referred to as "W," to copy examination answers on several occasions.

Speaking on condition that their names not be used, an official of General Physics and an attorney who cooperated with the special master's investigation confirmed that Hitz was "O." They declined to identify "W."

"O and W both engaged in a pattern of cheating over a period of time," the report said. "They also conspired to cheat, by agreeing to do so before examinations were given."

The report said Hitz "still fails to recognize the character of his acts."

Reached at General Physics yesterday, Hitz declined to comment, saying, "It may just complicate the matter."

Last year, former TMI operations Supervisor James Floyd was indicted on charges of cheating on a licensing test. He was convicted, then sentenced in March to 2 years' probation and ordered to pay a \$2,000 fine.

General Physics was aware of the accusations about Hitz when it hired him in March 1982, but had not yet seen the special master's report, said Jay Whitney, vice president and chief administrative officer.

"We obviously believe that it was not improper for us to hire him and it was not improper for him to continue to work in the nuclear industry," Whitney said.

"I mean, the man was never indicted for what he did; he was never convicted for what he did. To say that he is going to be punished by not being permitted to work in an area that he is trained to work in, based upon some sort of proceeding which we were not a party to, that would in fact be improper."

Whitney said Hitz's record in the industry is "outstanding." He said Hitz "admitted to us when we hired him that he made a mistake. He believed he had learned his lesson."

The integrity of the management of Three Mile Island was an issue during hearings into whether the undamaged Unit 1 reactor at the plant near Middletown, Pa., would be permitted by the NRC to restart.

Unit 1, which began operating again last month, had been closed for refueling at the time of the March 1979 accident that crippled its twin, Unit 2.

Opponents of the restart had argued that Floyd's conviction and accusations of cheating by other operators raised questions about the operator training procedure at the plant.

In August, Markey charged that General Physics had coached employees of the Oyster Creek nuclear plant in New Jersey on various ploys designed to help them "put one over on the federal government." He said a two-day training course in November 1983 appeared to advise the workers on general methods of evading the intent of NRC regulations.

Oyster Creek is operated by General Public Utilities Corp., which also owns Three Mile Island.

After an investigation, Palladino told Markey that the objectionable course material was no longer being used by General Physics.



Scientist to give his impressions of TMI

A research scientist tomorrow will give his impressions of what lessons have been learned from the nuclear accident at Three Mile Island. Bernd Franke, senior research scientist at the Institute for Energy and Environmental Research, will speak at 7:15 p.m. at the Three Mile Island Alert Inc. meeting in the Harrisburg Friends Meetinghouse at Sixth and Herr streets.

TMI Alert will meet at 6:15 p.m. to elect members to a Planning Council and discuss the Radiological Monitoring Committee, formed to examine the current monitoring system and existing problems.

Those who want additional information can call 233-7897.

TMI core debris put into canister

Associated Press

Operators at Three Mile Island, moving into a long-awaited phase of the Unit 2 cleanup, loaded the first core debris from the damaged reactor into a canister, a plant spokesman said yesterday.

Workers using long-handled tools placed a piece of fuel rod into a stainless steel canister suspended above the core, spokesman Gordon Tomb said.

The debris and the canisters are underwater. The operators work from a rotating platform built on top of the 40-foot-high core and, with the aid of remote-controlled television cameras, lower their tools through 20 feet of water to reach and move the debris.

Removal of the fuel damaged in the March 1979 accident at the Londonderry Twp. plant is expected to take 18 months.

For the time being, the canisters are being kept within the reactor vessel. Eventually they will be moved underwater to a pool in an adjacent building and in

the spring will be loaded into casks and shipped to the U.S. Department of Energy's Idaho National Engineering Laboratory in Idaho Falls for research and disposal.

The first phase of fuel removal started Oct. 30 when debris within the destroyed reactor core was moved to make room for the canisters, which hang in a carousel beneath the work platform.

Operators will spend the next several weeks loading chunks of debris into the canisters from a 3-foot-deep bed of rubble in the upper portion of the reactor. Smaller pieces will then be vacuumed.

The top 5 feet of the 12-foot-high core collapsed into rubble during the 1979 accident. The core was left without its normal shield of cooling water and overheated. Both uranium fuel and metal components melted as the temperature soared thousands of degrees above normal.

Plant officials said they don't know exactly the state of the core below the rubble bed, except for another pile of rubble at the bottom of the steel reactor vessel.

Jersey aims to block Unit 1 restart billing

United Press International

NEWARK, N.J. — The state's public advocate filed suit yesterday to block a move by Jersey Central Power and Light Co. to have its customers pay for plant costs at the Three Mile Island nuclear reactor.

Acting Public Advocate Alfred Slocum said that although 770,000 Jersey Central customers will initially see a 1 percent decrease in their monthly bills because of restored Three Mile Island power, the long-range costs may be higher.

Slocum said the immediate savings "will quickly disappear" if the plant's No. 1 reactor does not perform up to the utility's expectations. The utility is 25 percent owner of the Three Mile Island plant.

"The company is assuming that nothing will go wrong," Slocum said. "We want an opportunity to detail things that we believe could very well go wrong since no other nuclear plant has ever been restarted after being idle for such a long period of time."

The reactor was shut down in March 1979 after its twin reactor

at the Londonderry Twp., Pa., facility was damaged in the nation's worst commercial nuclear accident.

The Board of Public Utilities voted Thursday to allow plant costs to be reflected in the utility's permanent rates.

In an appeal filed with the Appellate Division of Superior Court in Newark, the Department of the Public Advocate said it was not given adequate notice of the move.

The department also contended it was denied due process in its bid to have the BPU insist on minimum performance standards for the Pennsylvania reactor.

Customers of the utility were given rebates totaling \$15 million last year, but Slocum said Jersey Central customers have paid \$600 million in rate increases since 1979, including up to \$280 million in costs related to the accident.

"We believe Jersey Central customers who have had to pay increasingly higher electric bills because of the... accident deserve much stronger guarantees that this nuclear plant is going to run efficiently," Slocum said.

MY VIEW one reader's opinion

JOANNE DOROSHOW



Joanne Doroshow is a former Harrisburg resident who has been involved in Three Mile Island litigation since 1981. She is currently a staff attorney at the Christie Institute, a Washington-based public interest law firm.

Governor should have done more

HAVING REPRESENTED Three Mile Island Alert and various officials in the TMI-1 restart case since 1981, I have worked with a large number of elected representatives opposing TMI-1's restart, and I have watched closely their influence over the course of the restart case.

After reading the Patriot's editorial of Oct. 8, "Misguided protest — Anti-TMI activists lash out at the wrong target," I realized that there is a story here which needs to be told. It concerns Governor Thornburgh's involvement in the TMI-1 restart issue.

I am afraid that Governor Thornburgh, clever politician that he is, has duped the public on this one. I say this because until mid-1984, the governor's involvement in the TMI-1 restart case was flat-out destructive. After mid-1984, his involvement was simply too little, too late — and clearly calculated to be so, for whatever reason.

The NRC's restart hearings took place at various times from 1980 through 1985. Throughout these hearings, the governor seemed to actively prevent his attorneys from effectively participating in some of the most serious issues being litigated.

AS TO ISSUES, the governor allowed his attorneys to litigate, the commonwealth's involvement in the hearing process ranged from hardly noticeable to obstructive. One of the most egregious examples concerned post-accident cheating at TMI-1.

In early June, 1983, when reports indicated that the commissioners were rushing toward a restart vote, the governor struck a deal with GPU and the commonwealth simply dropped its appeal of the Licensing Board decision which supported restart despite widespread cheating and wrongdoing at TMI-1.

The promises the governor obtained in exchange were virtually meaningless. The governor's press

statements indicated his pleasure at GPU's positive efforts. And the message to the NRC was clear: go ahead and vote.

This "cheating deal" was similar to one negotiated publicly on certain emergency planning issues, and one apparently struck secretly on the safety of steam generator repairs at TMI-1.

All this aside, the question remains: Did the governor do everything he could to obtain the management hearings he was publicly calling for in the last year or so? I think the answer is clearly no.

The NRC may be an independent federal agency in name, but it is controlled by and clearly responds to the policy direction of the White House. In 1984, Governor Thornburgh was responsible for delivering the Pennsylvania vote to Ronald Reagan. If Thornburgh were really serious about this, a simple meeting with the White House, maybe even a phone call, would have ended the matter right there.

FOCUSING strictly on the legal case, the governor could have done more. NRC law is arcane. The governor's lawyers did the best they could under the circumstances. But if the governor were serious about the court suit, he clearly could have hired outside counsel with special expertise in this area, as other governments have done in similar situations.

If the governor really wanted hearings on GPU's character and competence, he could be calling on the Pennsylvania Public Utility Commission to hold these very hearings.

Quite simply, his recent public appearances may have sounded good, but they were never effectively backed up. And don't think the NRC didn't notice.

Thornburgh did the minimum necessary to ensure a favorable public image, and make no mistake — he got exactly what he tried for.

Generator deposits reduce TMI power

By Frank Lynch
Patriot-News

Three Mile Island officials are studying ways to eliminate or reduce deposits inside the Unit 1 steam generators, a condition that is limiting the reactor to 71 percent of its electrical power output.

"Discussions and evaluations are under way now," plant spokesman Douglas Bedell said yesterday. He said no decisions had been made on how to deal with the buildup. The deposits consist of small amounts of rust and other impurities.

Officials from the Nuclear Regulatory Commission and Babcock & Wilcox Co., the Virginia-based firm that installed the TMI generators, say the situation doesn't pose a hazard and is simply an economic concern.

TMI officials say the restricted power may be related to an incident Saturday in which a failed relay switch brought the plant to an

automatic "hot shutdown." Steam releases carried what company officials described as "minute" amounts of radioactivity into the environment. They say the incident posed no threat to plant workers or the public.

Jim Taylor, manager of licensing services for Babcock & Wilcox, suggested fluctuations in pressure could have "caused what's in there [deposits] to move to areas where it could have effect" on output.

When the faulty switch was replaced and power was escalated, operators discovered the unit's two generators reached optimum output at 71 percent power. Under a graduated restart plan endorsed by the Nuclear Regulatory Commission, the Londonderry Twp. plant is permitted to run at 75 percent power. Before the shutdown it had been producing that output.

"We've reached the level at which we can operate, and that level is 71 percent," TMI spokes-

See TMI—Page A2

From Page A1

woman Lisa Robinson said yesterday.

Karl Abraham, public affairs officer for NRC Region I, which includes Pennsylvania, said NRC inspectors on the site are staying abreast of the situation. But he said the NRC would assume no immediate role in the situation.

He said the major significance of the deposit problem is that plant owner General Public Utilities Corp. cannot sell as much electricity as it could without the buildup.

"It's not any kind of danger situation. It's just that the plant is not as profitable as they would like it to be," he said.

The steam generators resemble large vats. Tubes carrying hot water from the reactor pass through the generators, heating "secondary" water that turns to steam to run the electricity-producing turbines.

Robinson said the deposits apparently formed on plates in the secondary part of the generators, restricting the flow of water and steam. She compared the buildup to the material that might form on the inside of a leakette.

TMI Unit 1 returns to 75% of full power

By Michael Sullivan
Patriot-News

Three Mile Island Unit 1 returned to 75 percent of full power last night after adjustments were made to compensate for blockage in the plant's steam generator tubes.

The blockage may mean the reactor won't be capable of achieving 100 percent power without first being repaired, according to Doug Bedell, spokesman for GPU Nuclear Corp., operator of the plant.

Deposits of unknown composition have partially blocked the flow of water into the steam generator tubes, which carry the steam that turns the turbines. Plant officials have compensated for the blockage by raising the water level in the steam generator to 82 percent from 72 percent of the operating level, Bedell said.

Without the deposits, the reactor would produce 75 percent power at the 72 percent water level, Bedell said.

The 75 percent output level was reached at 7 o'clock last night.

The Unit 1 reactor had been operating at 71 percent power since Monday, a day after it was brought back on line after a week-end malfunction. A faulty relay switch in an electrical generator caused an unplanned automatic

shutdown of the plant for over 12 hours Sunday.

Prior to the shutdown, the Londonderry Twp. plant had been operating at 75 percent power.

When plant operators escalated power on Monday, optimum output was reached at 71 percent.

The increase in water level was performed after officials from Three Mile Island and Babcock & Wilcox Co., a Virginia-based manufacturing firm that installed the generators, submitted safety report on the proposed increase to the Nuclear Regulatory Commission.

"The conclusion of the analysis was that there would be no impact on the safe operation of the plant if the water level... was allowed to rise to permit the increased production of steam and thus a higher level of power," Bedell said.

Similar deposits are common with other generators made by Babcock & Wilcox and pose no safety risk, he said.

However, failure to remove the deposits may prevent the reactor from reaching 100 percent power.

"How much beyond 75 percent this adjustment will take us we will just have to see when we move beyond this point," Bedell said.

He said engineers currently are attempting to find ways to obtain samples of the deposits.

Failure of switch stops TMI

Radioactive steam released into air

By Michael Sullivan
Patriot-News

Slightly radioactive steam was released into the air yesterday after an unplanned automatic shutdown at Three Mile Island's Unit 1 reactor.

A faulty relay switch in an electrical generator in the non-nuclear section of the plant was blamed for the shutdown, which occurred at 2:10 a.m.

The reactor was restarted at 2:40 p.m., after plant workers replaced the faulty switch, according to officials of GPU Nuclear Corp., operators of the Londonderry Twp. nuclear plant.

After the malfunction, the plant automatically stabilized itself and assumed a "hot shutdown" condition, according to Lisa Robinson, spokeswoman for GPU Nuclear.

Hot shutdown means all temperatures and pressures remain the same in the plant, except for the reactor, where control rods are inserted to halt nuclear reaction.

Robinson said the plant reacted as it was designed to and the incident presented no danger to plant workers or to nearby residents. She said automatic shutdowns are "not an unusual occurrence" at nuclear reactors.

"There was never any emergency condition at the plant," she said.

The unplanned shutdown was the first at Unit 1 since the plant was restarted Oct. 3, for the first time in 6½ years. The Unit 1 reactor resumed production of electricity Oct. 9 when it reached the 15 percent power level. It was opera-

ting at 75 percent of full power and producing 630 megawatts of electricity from Nov. 23 until the shutdown.

The relay switch blamed for causing the shutdown malfunctioned when voltage in the electrical generation system increased. Low power demand by utility customers caused the increase in voltage, Robinson said.

The switch is designed to shut down the electrical generator when demand for electricity is low and the voltage in the generation system rises to a set level. The malfunction happened when the relay shut down the generator at a voltage below the set level, Robinson said.

Other relay switches in the generator were tested yesterday while the reactor was inactive. No other faulty switches were found, Robinson said.

GPU Nuclear officials have said they hope to have the plant at 100 percent power by Jan. 1, if the NRC approves the increase.

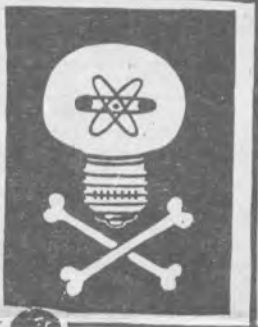
"We expect to go back up to 75 percent and proceed as normal," Robinson said. The Jan. 1 date has been "something to work toward, but we have never been welded to any time," she said.

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To: All our friends
From: Updates Editor

Due to lack of funding, we regret to inform you that Island Updates will no longer be published on a regular basis.

TMIA will publish future Updates as money allows. TMIA continues to operate a full-time office and work on the following issues: radiological monitoring; Unit 2 clean-up as well as Unit 1 (court case still pending); health concerns; emergency planning; and public information and education.

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