

Three Mile Island Alert

# Island Updates

News Watch on the Harrisburg Area

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## TMI train collides with car

### Officials report no radioactivity released in crash

From staff and wire reports

A train hauling nuclear waste from the Three Mile Island nuclear power plant to a federal repository in Idaho collided with an auto yesterday in St. Louis, but officials say no radioactivity was released.

The accident occurred at 5:35 a.m. at a grade crossing as the train was traveling at 25 to 30 mph, said Terry Smith of the U.S. Department of Energy, the agency that oversees the fuel shipment program from TMI.

Health officials from St. Louis and the state of Missouri checked the shipment for leaks of radioactivity. The train, carrying about 17,000 pounds of nuclear debris in two large casks, proceeded on its way about an hour later, Smith said.

The train consists of two engines and six cars. Patrolman Kevin Condon, who was at the scene, said the train's lead engine struck an automobile that was crossing the tracks even though warning lights and bells were on.

The driver of the auto said the signals had been malfunctioning recently, and he had thought such

was the case yesterday, Condon said. The driver was issued a citation for violating a railroad crossing signal, he said.

The driver, identified by Smith as Daryl Granberry, was taken to Barnes Hospital in St. Louis, where he was undergoing tests. A spokesman for the hospital said the man probably would be released later in the day.

The train was carrying the seventh rail shipment — the ninth and tenth cask loads — of radioactive waste left by the March 28, 1979, accident at TMI Unit 2. In the accident, the reactor's nuclear core lost vital cooling water, resulting in a partial meltdown.

Smith said he doesn't expect the accident to have an impact on the program in which about 40 rail shipments of the waste will be taken during the next two years from TMI to a DOE research laboratory near Idaho Falls, Idaho.

"It was a common accident. We feel like the safety system is in place to ship safely," he said. "I can't see any reason why it should have an impact."

The shipment is expected to reach its destination by tomorrow or Friday, a spokesman said.

The Patriot, Harrisburg, Pa., Saturday, April 11, 1987

## GPU Nuclear cited for pair of violations

The U.S. Nuclear Regulatory Commission cited GPU Nuclear Corp. with two severity-level-four violations after a late February to early March inspection.

One of the violations was issued because an instrument was not calibrated in accordance with proper procedure. GPU officials said the calibration was found to be satisfactory and the procedure has been rewritten.

A second violation was issued because a design calculation for the emergency feedwater system to the steam generators was changed without an internal review.

The change was since reviewed, GPU officials said.

At TMI-2, officials are continuing to review a March 18 incident in which two empty, but contaminated low-level radioactive waste containers were transported around the island on the bed of a truck without the required paperwork.

The containers were left unattended for 45 minutes in parts of the plant where continuous escort of radiological materials is required.

The Patriot, Harrisburg, Pa., Tuesday, April 21, 1987

## 3 TMI workers exposed to radiation, official says

Three workers breathed in radioactive material stirred up while they were in an auxiliary building at the Three Mile Island Unit 1 reactor, a company spokesman says.

The workers, who received doses of radiation far below federal limits, were exposed during two separate incidents while working in a cubicle that houses water filters used to cleanse reactor coolant water, said Gordon Tomb, spokesman for GPU Nuclear Corp., TMI operator.

The incidents, which occurred on March 7 and 12 at the Londonderry Twp. nuclear power plant, recently were reported in a U.S. Nuclear Regulatory Commission status report on Unit 1 for the period of March 6 to 20.

An internal investigation by GPU Nuclear has shown that the first exposure incident probably was avoidable, Tomb said. "In our review, we judged that the work in the cubicle was not planned out as thoroughly as it might have been," he said.

On March 7, GPU workers were practicing removal of the water filters from the cubicle in the auxiliary building. Two workers were inside the cubicle when other workers standing on the cu-

bicle's roof accidentally knocked a tool against an opening in the roof and dislodged cobalt, Tomb said.

The workers inside the cubicle were not wearing respirators, he said.

GPU Nuclear is studying ways to avoid similar incidents, but any solution is unlikely to include the wearing of respirators, which are uncomfortable, Tomb said.

Because reactor coolant water is filtered in the cubicle, contamination inside is unavoidable, Tomb said.

One of the workers exposed in the March 7 incident also was exposed in the March 12 incident, which took place in the same auxiliary building cubicle.

In this case, two workers were preparing a cask to accept the water filters by putting a plastic covering on the container to protect it from contamination, Tomb said. Once the cask is loaded with filters, it is shipped off for disposal of the filters, he said.

While cutting holes in the plastic, the workers again accidentally stirred up cobalt that was on a piece of equipment connected to the cask, Tomb said.

Tomb said the company was correct that problem.

The Patriot, Harrisburg, Pa., Tuesday, June 2, 1987

## Drug probe at TMI confirmed

GPU Nuclear Corp. confirmed yesterday it is investigating possible drug use by Three Mile Island employees.

"A drug investigation is under way and we will be providing further information on it when it is complete," said GPU spokesman Doug Bedell.

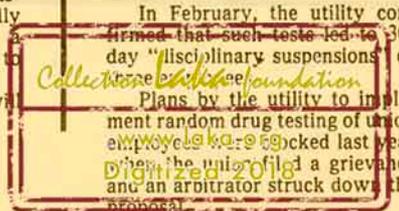
Bedell would say nothing further about the investigation at the Londonderry Twp. nuclear plant. "A report on it at this point ... could potentially damage the investigation," he said.

GPU spokesman Gordon Tomb would not identify the drugs or say whether the employees were suspected of using drugs on the job, but he did say the workers were not involved in reactor operation or other safety sensitive areas.

Glenn Schaeffer, business manager for the International Brotherhood of Electrical Workers in Harrisburg, said he was unaware of any drug probe at TMI. Joseph Kivler, president of IBEW Local 564 at TMI, could not be reached last night.

In February, the utility confirmed that such tests led to 30-day disciplinary suspensions of three employees.

Plans by the utility to implement random drug testing of union employees were blocked last year when the union filed a grievance and an arbitrator struck down the proposal.



# TMI Gets Fire Rule Exemptions

By Leslie R. Klein  
Intelligencer Journal Staff

GPU Nuclear Corp. has won federal approval for five exemptions from fire protection regulations that the company says would have cost millions of dollars to meet without adding to safety at Three Mile Island.

"Others have received similar exemptions," said Gordon Tomb, a GPU Nuclear spokesman. "... Plant safety remains our foremost concern."

Tomb said the company spent \$40 million improving the fire protection system at the Unit 1 reactor during a recent five-month shutdown.

But a spokesman for an anti-nuclear group criticized the Nuclear Regulatory Commission for granting the exemptions.

"The NRC is just impressed that the utility spent \$40 million, so the NRC appeases them," said Eric Epstein of TMI Alert.

"The NRC's business is ensuring safety. It should be making decisions that provide the greatest margins of safety possible instead of allowing the utility to take shortcuts."

Tomb said GPU Nuclear found "practical" alternatives to the fire protection systems mandated by the NRC regulations. The alternatives "provide equal protection," he said.

The systems called for by the regulations would have "cost millions without adding significantly to the safety to the plant," he added.

The NRC rules would have required automatic controls on some valves and pumps as well as automatic systems to extinguish fires in certain areas.

Tomb said the company believes it "preferable" to implement regulations when possible by relying on the "fairly straightforward actions of trained operators" instead of on "equipment, which can fail."

The \$40 million already spent covered such changes as rerouting 16 miles of electrical cable, wrapping cable in fire resistant materials and building fire barriers.

Also included in the work was the installation of a "remote shutdown panel" that allows operators to shut the plant if the control room must be evacuated during a fire.

Tomb said engineers determined whether the alternatives would work by timing how long it would take operators to get from one area of the plant to another and by reviewing lab tests on how long it takes certain materials to burn.

Said Epstein: "It's just conjecture that it will work. None of these things have actually happened. We don't know what will happen."

The exemptions "assume that operators are adequately prepared through drills to handle a situation outside the lab," he added.

The NRC said GPU Nuclear's fire system gives "a high degree of assurance that a single fire will not result in loss of safe shutdown capability."

Epstein contended that neither TMI nor any other nuclear plant is equipped to handle two or more fires at the same time.

The Patriot, Harrisburg, Pa., Tuesday, March 10, 1987

## 'Someone' set off TMI firefighting system

Officials are trying to learn who activated a fire protection system at Three Mile Island's Unit 2 reactor Sunday night and why the system was set off when there was no fire.

The system was activated manually about 10:15 p.m. Sunday and discharged halon gas, a fire-suppression agent, into a room housing electrical cables, said Gordon Tomb, spokesman for GPU Nuclear Corp.

"We know it was set off by someone," Tomb said. "But we don't know who. We don't know why. We don't know how."

GPU Nuclear Corp. is reviewing the incident, which has been reported to the U.S. Nuclear Regulatory Commission.

Tomb said the system was activated manually from outside the room. The halon gas which was discharged is stored in tanks in the room on the ground floor of the control building.

There were no injuries in the incident and no equipment was damaged, Tomb said.

A backup fire protection system remains available while the one activated Sunday is being returned to service.

The Patriot, Harrisburg, Pa., Wednesday, June 3, 1987

## Fire brigade training scheduled at TMI

GPU Nuclear Corp. has scheduled fire brigade training for Tuesday and June 11 and 18 at Three Mile Island.

The training will involve the burning of flammable liquids, and residents in the area may notice smoke.



The Patriot, Harrisburg, Pa., Friday, May 8, 1987

# Stockholder expresses anger over payment of GPU dividend

By David Stellfox  
Patriot-News

At least one General Public Utilities Corp. stockholder is unhappy about the payment this month of GPU's first common stock dividend since the March 1979 accident at TMI Unit 2.

Some stockholders may be unhappy that the 15-cent dividend is too small, but Eric Epstein is unhappy that he's getting one at all.

Epstein is a member of the Harrisburg anti-nuclear group Three Mile Island Alert and a GPU stockholder.

Epstein says the utility should not be paying stockholders a dividend because the future of the cleanup of the damaged Unit 2 reactor is uncertain.

"There are no assurances that Unit 2 will ever be completely cleaned up, decontaminated and decommissioned, yet GPU is rewarding its shareholders for the progress made in the cleanup," Epstein said yesterday.

The company announced last month that it will pay a 15-cent dividend on common stock — the first since the accident — on May 29.

The dividend, company officials said at the time, was prompted by progress in the \$1 billion cleanup program of Unit 2.

"GPU's mismanagement of the cleanup casts a shadow on its ability to complete the project," Epstein said. "In fact, the next phase of the cleanup, referred to as post defueling monitored storage, is nothing more than a guise for GPU to renege on its pledge to safely clean up and decontaminate Unit 2," he said.

Epstein said examples of mismanagement at GPU Nuclear included the case where the U.S. Nuclear Regulatory Commission levied a \$64,000 fine over allegations a utility subcontractor harassed an employee for reporting safety problems and another case where GPU paid a \$40,000 fine for improperly modifying reactor head lift equipment.

Epstein, who was in attendance at a GPU stockholders' meeting in Whippany, N.J., yesterday, said dividend payments should not come until cleanup completion is more certain.

The Patriot, Harrisburg, Pa., Friday, March 13, 1987

# TMI worker hospitalized after gas leak

Three Mile Island Unit 1 officials last night were monitoring a small chlorine gas leak yesterday that sent one worker to Harrisburg Hospital.

Douglas Bedell, spokesman for GPU Nuclear Corp., operator of TMI, said the leak began about 2:15 p.m. in the chlorinator building near the Susquehanna River bank on the west side of the island.

Bedell said the leak occurred as a result of increased pressure in the building, but officials did not know last night what caused the pressure to rise.

The chlorinator building adds chlorine to water pumped in from the river for use at Unit 1.

GPU Nuclear Corp. workers were required to wear breathing equipment to enter the building.

One worker, William Fraser, 35, of Columbia was admitted to Harrisburg Hospital after being examined for exposure to the gas. He was listed in fair condition last night, a hospital official said.

Bedell said the leak posed no environmental hazard and no danger to Unit 1.

Although the incident was not serious enough to be classified as an "unusual event," Bedell said the U.S. Nuclear Regulatory Commission resident staffers were notified.

**the FORUM**

The Patriot, Harrisburg, Pa.,  
Monday, April 20, 1987

**TMI drug test**

**EDITOR:**  
I want to know why Three Mile Island was allowed to continue operating after marijuana was found and the Peach Bottom plant was shut down when workers were found sleeping on the job. It is my opinion that drug use in a nuclear power plant is totally unacceptable, and certainly as dangerous as sleeping attendants.  
I hope that it won't take another accident to shut down TMI or tighten safety standards. I think that all employees working there should be tested for drugs regularly. Lives are at stake!

Deborah Bixler,  
Dillsburg

# Scientist: GPU's evaporation plan may kill babies

By David Stellfox  
Patriot-News

Twenty to 120 infants could be killed if GPU Nuclear Corp. is allowed to evaporate radioactive water into the midstate air, a scientist said last night.

Dr. Ernest Sternglass, who made that assessment, and another scientist addressed an advisory panel on TMI Unit 2's cleanup process.

The Advisory Panel for the Decontamination for Three Mile Island Unit 2 voted to recommend against two alternatives for disposal of radioactive water stored at the Londonderry Twp. plant. The panel met at Holiday Inn Center City.



Sternglass

The panel, in separate votes, unanimously opposed dumping the water in the Susquehanna River and voted 5-4, with one abstention, against GPU Nuclear Corp.'s proposal to evaporate the 2.1 million gallons of radioactive water into the air at the Londonderry Twp. plant.

The advisory panel meets with the U.S. Nuclear Regulatory Commission in Washington April 16 to deliver its recommendations. The NRC has final authority on disposal of the water.

The panel votes came after a five-hour meeting in which Sternglass, professor of radiological physics at the University of Pittsburgh, and Dr. Richard Piccioni, staff scientist for New York-based Accord Research and Educational Associates Inc., told the advisory panel research has linked even low levels of strontium-90 and other radionuclides that are in the water to cancers, cancer deaths and infant mortality.

Sternglass' remarks were made to reporters after his formal presentation and were based, he said, on reports of illness and deaths in upstate New York and Maryland after the 1980 venting of krypton gas from TMI.

Sternglass also said 100 to 500 people who are ill could die prematurely as a result of deficient immune systems after absorbing such radiation.

The U.S. Nuclear Regulatory Commission staff, in an environmental impact study, ruled that none of the 10 options they considered for disposal of the water — including GPU Nuclear Corp.'s evaporation plan — posed any health or environmental danger.

Most of the panel members with technical expertise — Dr. Neil Wald, Joseph J. DiNunno and Dr. John Luetzelschwab — appeared to discount the testimony of Sternglass and Piccioni.

Wald summed up his opinion after the meeting this way: "Because we cannot at very low levels demonstrate effect [of radiation], it becomes a matter of assumption. Their assumptions [Sternglass and Piccioni] are not in keeping with the consensus of the experts," Wald said.

Sternglass said there was a clear increase in infant mortality in the second half of 1980 after the venting of krypton gas. Piccioni earlier told the panel his organization detected levels of strontium-90 in the air during the krypton gas venting that were 900 times higher than what GPU predicted or picked up in its own monitoring.

After presenting a host of charts and study summaries tying low-level radiation to illness and death, Sternglass said: "I must warn you, this does not constitute absolute proof. It's only a probability, a likelihood that this [illness and deaths] is caused by radiation.

"I cannot tell what this means," he said. "I cannot tell you whether to believe the projections of the industry or independent scientists. We both have our biases. You have to decide, in the light of probability, like a jury, whether I may be right."

Sternglass, Piccioni and various members of the public recommended that the water — generated in the March 1979 Unit 2 accident — be maintained in storage tanks on the island.

A motion to recommend to the NRC to maintain the water on the island pending further study was defeated when Lancaster Mayor Arthur Morris, panel chairman, cast the final vote tying it up, 5-5.

Panel member and Lancaster resident Thomas Smithgall said the NRC staff's environmental impact study, was a de facto endorsement of GPU Nuclear's evaporation proposal because it found none of the options preferable.

"I just wonder what we're all doing here, quite honestly," Smithgall said. "Are we just playing a game here ... where our comments will be collected in a document to collect dust?"

Whether panel members agreed with the scientists, Smithgall said the body "should opt to prevent any further potential releases. It's more of a moral issue, a political issue, an emotional issue that is about as basic as we can get," he said.

Panel member Thomas Gerusky, director of the state Bureau of Radiation Protection, said he found no fault with the NRC study "even though [the testimony] raised a lot of concerns and debate about off-site doses [of radiation]."

The panel endorsed the environmental impact study in a 7-2 vote.

# More opinions asked on TMI plan

By Denise Laffan  
Patriot-News

The Nuclear Regulatory Commission, exhibiting what some officials believe is a newfound concern for public opinion, wants a better reading of the public on a plan to evaporate radioactive water at Three Mile Island.

This week, members of the TMI Advisory Panel told the NRC that those who attended the panel's hearings rejected absolutely any plan to evaporate 2.1 million gallons of radioactive water generated by the 1979 accident and subsequent cleanup of Unit 2.

However, when the NRC members asked if this opposition represented the majority opinion, the advisory panel was stumped.

"We could not answer that question sufficiently," said Joel Roth, vice chairman of the panel. "Is there really a silent majority out there who just want this over with?"

Roth and Dauphin County commissioners' Chairman Frederick S. Rice yesterday announced the panel would hold another public hearing in late May or early June to try to provide the NRC with an adequate response.

The NRC has delayed making a final judgment on the evaporation plan until more public comment is solicited.

The advisory panel was created by the NRC expressly to keep the agency informed of public sentiment.

However, until the hearing in Washington on Thursday, Roth said he never witnessed such a level of concern for the public.

"A number of [NRC members] really care about this issue," Roth said, later adding, "we really didn't expect them to say what they said."

The advisory panel held two public hearings earlier this year to solicit public opinion on the proposal by GPU Nuclear Corp., operator of the Londonderry Twp. plant, to boil the water and release the steam into the atmosphere.

The first meeting, in Lancaster, and the second, in Harrisburg, were well attended, and the overwhelming majority opposed evaporation.

However, anti-nuclear activists dominated the discussions, particularly at the Harrisburg meeting, and apparently NRC members do not believe these activists represent a cross-section of the community.

That belief, Roth said, is shared by some of his fellow panel members.

"Some members of our panel feel we haven't gotten a good cross-section," he said. "But I object to our anti-nuclear friends being castigated because they did keep showing up at the meetings."

The advisory panel chairman, Lancaster Mayor Arthur Morris, wrote to the NRC, saying the proposal favored by most citizens is to continue storing the water on the island. However, this option has been criticized by some, who say it would turn TMI into a low-level radioactive waste site.

Roth said he was unsure how the advisory panel would attract a more diverse group to comment on the evaporation plan, but he added that, unless other proposals are made, the NRC is likely to go ahead with GPU Nuclear's plan.

"The public has really been taken for granted because GPU has never asked the public what it wants," Roth said. "Never."

# Advisory panel to urge delay on plan to evaporate tainted TMI water

By Yvonne Simmeth  
Patriot-News

LANCASTER — The Advisory Panel for the Decontamination of Three Mile Island Unit 2 has recommended that the U.S. Nuclear Regulatory Commission delay action on a plan to evaporate tainted water at the plant site.

Acting on a consensus of board members' opinions, panel Chairman Arthur Morris said last night the NRC should study GPU Nuclear Corp.'s plan and complete the second part of an environmental impact study before approving any water removal.

GPU Nuclear, operator of TMI, has asked to be allowed to evaporate through boiling 2.1 million gallons of radioactive water at the Londonderry Twp. plant this year.

The NRC has not given approval to the move and asked the advisory panel to suggest a time frame for removing the water.

Citizens who spoke last night at the panel's hearing on the matter had urged that the plan be delayed indefinitely.

The advisory panel has had several

meetings on how to dispose of the water, some of which was generated in 1979 during the nation's worst commercial nuclear accident.

Some of it has been used in cleanup since the accident.

After reviewing an environmental impact statement prepared by the NRC staff, the advisory panel voted unanimously in March against allowing GPU to dump the water in the Susquehanna River.

The panel also voted 5-4 with one abstention to oppose GPU's evaporation plan.

The environmental impact statement showed none of the options for removing the water represented radiation releases to the environment beyond federal limits.

GPU last night said it told the NRC that it must have approval by July 31 to complete its cleanup on schedule.

After a panel discussion, Morris, who also is mayor of Lancaster, said he would tell the NRC the panel would provide no advice on timing but recommend they finish their impact study before approving any cleanup plan.

# NRC leaks

## Agency chummy with industry it oversees

ONE OF THE victims of the 1979 accident at Three Mile Island was public confidence in the Nuclear Regulatory Commission and its commitment to fulfilling its role as the watchdog of the nuclear industry. The doubts and suspicions were confirmed recently when a Senate committee heard sworn testimony that top officials in the NRC alerted electric utilities about pending investigations and otherwise compromised their responsibility as independent regulators.

Julian Greenspun, a former federal prosecutor, told how the NRC's executive director for operations, Victor Stello Jr., quashed an investigation of falsified coolant-leak test results at General Public Utilities' Unit 2 TMI reactor that occurred for six months in 1978 with the knowledge of an NRC inspector. Stello, he said, objected that the investigation would be bad for plant morale and was quoted as saying, "Nobody is going to tell me how to treat my licensees."

That was hardly an isolated example, either. There was testimony suggesting that Commissioner Thomas M. Roberts provided confidential documents to another utility under investigation. Roberts denied supplying the documents but admitted that he subsequently destroyed the seized papers because he believed someone was trying to frame him. But Ben B. Hayes, the agency's top investigator, told the Senate Government Affairs Committee, that the effect of Roberts' document destruction was to thwart an in-house investigation of himself.

SEN. JOHN HEINZ, R-Pa., raised an obvious question in light of these revelations: Was the recent shutdown by the NRC of the Peach Bottom nuclear power station in York County a "flash in the pan" meant to curry favor with Congress? Was that action, which we lauded in this space, an attempt at damage control designed to defuse the very

serious allegations of being in bed with the nuclear industry that NRC officials must have known were about to descend upon them? The circumstances surrounding the NRC's unprecedented action certainly suggest as much.

Greenspun's charge that the NRC is "a captive of the industry it regulates" is hardly new nor one that only the NRC has had to face. The NRC was formed out of the old Atomic Energy Commission in the early 1970s because of the inherent conflict of trying to have one agency both promote and regulate the nuclear industry. But the problem appears to be generic in that regulators, whatever the field, invariably develop institutional sympathies for the industry they are supposed to oversee. The Interstate Commerce Commission, for example, is generally perceived to be a captive of the railroad industry.

AT ISSUE THEN is how to combat this tendency; how, in fact, to keep the regulatory system honest. Even the presence of an internal Office of Investigations in the NRC for the last four years and a man in charge of it — Hayes — who was serious and dedicated to his task wasn't sufficient to maintain the integrity of the system. But public exposure of the NRC's unacceptable conduct may help if it results in appropriate sanctions for those responsible.

Whatever the eventual remedy, ultimately the nuclear industry is bound to pay a big price for small favors. For all its exhaustiveness, for all of the time and delay consumed by the NRC in passing on the question of restart of the undamaged reactor at TMI, the agency did more to undermine public confidence than enhance it because it could not hide its contempt for public opinion. But in a democracy, even one that depends on highly sophisticated technology, public opinion is the bottom line.

# Sen. Glenn wants NRC member to quit

By Peter Kelley  
Washington Bureau

WASHINGTON — U.S. Sen. John Glenn yesterday called for the resignation of Thomas M. Roberts from the U.S. Nuclear Regulatory Commission.

The Ohio Democrat also spoke of possible criminal investigation of Roberts, who has been a member of the NRC for six years.

"The NRC and the public it serves cannot afford to retain a commissioner whose consistently poor judgment could potentially jeopardize the safe regulation of the nuclear power industry," Glenn said.

Roberts, 50, a Memphis, Tenn., investor and businessman who was treasurer of Vice President George Bush's 1980 presidential campaign, responded that he has no intention of resigning and was "truly shocked" at Glenn's demand.

Roberts said he asked in-house inspectors last week to find out how many copies of confidential memos meant for his office reached a nuclear utility's files within four working days in June 1983, where they were discovered in 1985.

In sworn testimony April 9 before Glenn's Government Affairs Committee, Roberts said he did not

leak the memos, one of which charged NRC collusion with Middle South Services Inc., owner of a Louisiana nuclear plant.

But he admitted he ordered NRC investigators to turn over the discovered copies, as well as all their notes on the incident, then tore them up and threw them in a wastebasket.

"I saw no reason for them [the documents] to continue to exist," Roberts told the senators. "I admit to being somewhat paranoid. I thought somebody was trying to set me up."

He maintained yesterday, "I have done no wrong."

The five NRC members and their staff regulate America's 106 licensed nuclear power plants, which produce 20 percent of the nation's electricity. Of the three in central Pennsylvania, Three Mile Island, near Middletown, was the site of the nation's worst nuclear accident, and Peach Bottom, near Delta, was the only plant ever ordered closed solely for bad management.

Glenn charged Roberts' actions were "deliberate destruction of incriminating evidence" on the eve of Roberts' Senate reconfirmation in July 1985 to a second term on the NRC.

"I am sending this entire matter, including the testimony from the committee's April 9 hearing, to the Department of Justice for its review," Glenn said.

One of the memos called for an NRC investigation into whether Middle South's plant operators tried to conceal cracks in its concrete base.

NRC spokesman Frank Ingram, asked why Roberts waited until last week to call for a probe of how the memo leaked, replied: "All he said is that, in retrospect, he probably should have done it two years ago."

Roberts' denials were lampooned in New Orleans, near the Middle South plant. A cartoonist for The Times-Picayune newspaper drew an NRC member at dinner, calmly watching a dog marked "NukePlants" climb on the table and eat from a guest's plate.

"If I hadn't grown so fond of that mutt, I'd probably discipline him," the commissioner tells the guest in the cartoon.

A justice spokesman said Roberts' case probably would be reviewed for a possible probe by the department's Office of Professional Responsibility, which investigates charges of official misconduct.

Meanwhile, new allegations of cozy relations between the NRC and power companies were made yesterday in Congress, just as NRC Chairman Lando W. Zech Jr. promised to clean house and reopen several investigations into complaints of misconduct.

Rep. Edward J. Markey, D-Mass., charged that Victor Stello, NRC executive director for operations, "coached and advised" owners of the Seabrook plant in New Hampshire on winning an operating license.

Stello said he was just trying to be helpful.

# Asleep at the switch

## NRC blows whistle on Peach Bottom

BY SHUTTING DOWN the Peach Bottom Atomic Power Station in York County, the Nuclear Regulatory Commission should get the attention of operator Philadelphia Electric Co. that warnings and fines apparently have failed to obtain.

In an action without precedent, the NRC Tuesday ordered PE to bring its Unit 3 reactor to a "cold condition" within 36 hours after finding it posed "an immediate threat to the public safety and health." The federal agency, which is responsible for overseeing nuclear power operations, said control-room operators were asleep on the job and otherwise inattentive to their duties.

This is not the first time that Peach Bottom's two nuclear reactors have been cited as problem plants. They were on a list of 16 reactors with significant operating problems — out of the more than 100 nuclear power plants on line in the country — compiled by the NRC last year. The company was fined \$200,000 last year for a safety violation committed by one of its operators that went undetected through three separate safety systems designed to catch it. In 1983 and 1984, PE was assessed a total of \$170,000 for five separate violations of safety standards at Peach Bottom.

THESE BREACHES in safety have been taking place at reactors whose "Mark I" design, according to the staff of the NRC in a statement made last year, have a 50 percent chance of failure in the event of an accident involving damage to the core. The staff, in calling for modifications in the containment structures at the Peach Bottom reactors, said that in the event of an accident it was highly likely that radioactive steam would escape.

In addition, last year PE laid off a health physicist working at Peach Bottom after he

complained to the NRC about being exposed to what he believed to be excessive levels of radiation. And according to Critical Mass, a nuclear-watchdog group, Unit 2 at Peach Bottom had 16 unplanned shutdowns in 1985, among the highest in the industry.

All of this taken together paints a disturbing picture of inattention, complacency and lax supervision at the power station near the Maryland border. It is hauntingly reminiscent of the conclusion of the Kemeny Commission investigation of the accident at Three Mile Island that its fundamental cause was "people-related," not due to equipment problems. The difference is that the NRC has intervened forcefully before PE's negligence in operating Peach Bottom resulted in a serious accident.

THAT IS NOT entirely reassuring, however, in light of the fact that the actions that led to the shutdown had been occurring at the facility for the preceding five months. That suggests a need for more frequent unannounced inspections by the NRC and much closer supervision and better training by the company.

The operation of a nuclear plant places an enormous amount of public trust and responsibility on the operator. It has an obligation to see that a potentially dangerous technology is operated attentively, safely and prudently at all times. PE has failed that trust and should be dealt with severely, both by the NRC and the Pennsylvania Public Utility Commission, which must decide who bears the price of taking the 1,000-megawatt power plant out of service.

PE should not be permitted to resume operations at Peach Bottom until it provides ample evidence that it is prepared to operate the facility in a responsible manner.

# Reconsider, TMI plaintiffs ask

Lawyers for people seeking damages as a result of the March 1979 Three Mile Island accident have asked for a reconsideration of a court decision that dismissed some 35 complaints.

They also have asked Dauphin County Senior Judge William W. Lipsitt to stay his Feb. 20 decision, in order to avoid filing an appeal with the state Superior Court.

The motions are part of a virtual avalanche of legal filings submitted this week in the massive TMI litigation.

About 2,000 people have sued the owners and manufacturers of the Londonderry Twp. nuclear plant to recover damages from injuries they say they have incurred as a result of the March 28, 1979, accident. The plaintiffs contend the accident caused various ailments, such as cancer.

The defendants in the suits have argued that not enough radiation was released to harm anyone.

Lawyers for the plaintiffs have asked Lipsitt to reconsider his Feb. 20 decision that dismissed some of the complaints because they were not filed within the two-year statute of limitations.

In the reconsideration motion, plaintiffs' lawyers have argued that many of the suits were filed in a timely fashion and the complaints should be reinstated. Besides asking for reinstatement, the plaintiffs' lawyers are asking that Lipsitt amend the complaints to include a list of reasons explaining why people did not immediately connect their injuries to the TMI accident. A request to amend all the TMI complaints was filed earlier this month.

In asking for reconsideration,

the lawyers said Lipsitt's decision "sends a clear message to the community. The message is clearly akin to buyer beware. It is a docket-oriented message which sends a signal to corporate America that they can maim a community and groups of individuals, be it by the sale of asbestos, a defective IUD, and/or radiation with impunity.

"All they have to do is withhold information, lull the consumer and/or community into a false sense of security, and when they are caught in their deceit plead the statute of limitations, placing the burden on the private citizen to perform extensive and costly studies to determine corporate guilt while at the same time they withhold such information from the public which prevents the investigation from beginning."

The reconsideration motion says that each individual affected by Lipsitt's order had read "articles and heard broadcasting reports attesting to the fact that no harm would come" from the accident.

But, the motion adds, the "defendants, as evidenced by the proposed amendment, concealed the effects of the disaster at Three Mile Island by propaganda, disreputable news releases, payments of \$380,000 to Adm. [Hyman] Rickover's foundation to gain his support . . . attempts to curtail funding for the public health fund reports in the United States District Court here in Harrisburg, thwarting plaintiffs' ability to obtain grand jury documents, and being obstinate on production of discovery in these very cases."

Regarding some specific cases affected by Lipsitt's ruling, the lawyers contend some complaints

were dismissed even though a request for summary judgment had not been filed.

Another person, the motion said, had his suit thrown out even though he started action in 1985 within two months after he was diagnosed as having skin cancer. The man had said in interrogatories that he had warts in 1981 and the defendants argued that he "should have started his lawsuit when he noticed a wart."

In a footnote, the reconsideration motion observes that "this scenario would cause everyone within a 25-mile radius of Three Mile Island to begin suits for every skin blemish that they witnessed. It is proof positive that each individual case deserves its own analysis. It shows clearly how defendants' tact in filing a motion for summary judgment and misleading this court with regard to the same will cause havoc with this litigation."

In other requests before the court, the plaintiffs' lawyers have asked Lipsitt to postpone acting on their reconsideration motion pending a ruling in a higher court on a request for discovery information sought from the TMI operator.

The plaintiffs have taken issue with Lipsitt's Jan. 15 decision saying that TMI officials should produce all news releases and certify that they have released all available information regarding emissions through April 1979.

Plaintiffs' lawyers are seeking transcripts of all news conferences and all notes used in preparing news conferences.

TMI officials have said they already have produced the transcripts and notes used in the news conferences.

# Lipsitt order amends suits related to TMI

Dauphin County Senior Judge William W. Lipsitt has signed an order to amend complaints filed by most of the 2,000 people seeking damages as a result of the Three Mile Island accident.

Lipsitt's order, recorded Friday in the county prothonotary's office, will change the complaints to reflect alleged emissions of radioactivity before the March 28, 1979, accident at the Londonderry Twp. nuclear power plant.

The order also will amend the complaints to strengthen a contention that TMI's owners and operator fraudulently concealed information. The concealment, the amendment claims, prevented people from making an immediate connection between their injuries and the accident.

About 2,000 people have sued the builders and operator of the plant for damages they say they suffered as a result of the accident. They contend radiation releases caused a variety of mental and physical ailments, such as cancer and stress.

GPU Nuclear Corp., the plant operator, has said not enough radiation was released to harm anyone.

The amendment concerning prior emissions, which will affect about 1,500 complaints, argues there were radiation emissions from Oct. 17, 1974, until the time of the accident.

The amendment says radiation-detecting equipment measured doses in excess of 1 rem Oct. 17, 1974. "Since that time, there were additional releases up to and including the date" of the accident, the amendment says.

Another paragraph is amended to allege that the TMI operator withheld information from the public and the news media to conceal the extent of the accident.

# GPU Nuclear concealed severity of TMI accident, lawyers claim

By Jim Lewis  
Patriot-News

Lawyers filed pages of news stories and advertisements yesterday in Dauphin County Court to support their claims that officials at Three Mile Island concealed the severity of the 1979 accident at the nuclear power plant.

The papers were filed in an attempt to convince Senior Judge William W. Lipsitt to reconsider his Feb. 20 dismissal of about 35 cases seeking damages as a result of the accident at the Londonderry Twp. plant.

The exhibits were part of a thick document filed by lawyers for plaintiffs in the cases that were dismissed.

Another document filed asks Lipsitt to reconsider his decision to deny the plaintiffs a chance to amend their complaints.

Lipsitt ruled earlier that the plaintiffs had failed to file their injury claims within a two-year statute of limitations.

The plaintiffs claim they could not determine a connection between their ailments and the March 28, 1979, accident at the Unit 2 reactor because GPU Nuclear Corp., TMI operator, fraudulently concealed the severity of the radiation emissions in ads and during news conferences.

They list about 30 examples of advertising and media reports that they contend show GPU Nuclear and some manufacturers of parts used in TMI's reactors downplayed the severity of the accident.

The stories and ads made people believe their ailments might not have been caused by the accident until recent reports indicated, otherwise, the lawyers claim.

Lipsitt ruled in February that the "plaintiffs knew on March 28, 1979, that an accident had occurred at TMI. They also knew or should have known that exposure to radiation could cause adverse health effects.

"Given the extent of information available to plaintiffs, their generalized allegations of concealment are insufficient. . . and their claims must be dismissed as untimely filed," he wrote.

The lawyers say Lipsitt incorrectly ruled that their clients must prove their claims against GPU

Nuclear are adequate, in light of the statute of limitations defense, before they can file amended complaints.

"At the time a plaintiff files his complaint, he is unaware whether the defendant will raise the statute of limitations defense and is therefore unable to plead any facts related to an exception to that defense," the document says. "The proper remedy. . . is to allow an amendment to the pleadings, not to deny plaintiffs the opportunity to correct the recognized deficiency."

# TMI Cleanup Needs Extra \$2-\$5 Million

WASHINGTON (AP) — Federal researchers said Wednesday they will need up to \$5 million more to finish investigating the accident that crippled Three Mile Island's Unit 2 eight years ago.

To see the bottom of the reactor vessel, researchers will need \$2 million to \$5 million more than the cleanup budget allows, James Vaught of the Department of Energy told the Nuclear Regulatory Commission.

Scientists consider a picture of the depths of the vessel critical in piecing together the events at the Pennsylvania plant in March 1979.

"I can't imagine that with a one-of-a-kind accident, we would not learn everything that we possibly can on the progression and the circumstances surrounding that accident, and how close we may have come to breaching the bottom of the vessel," NRC Commissioner Frederick Bernthal said.

"Is there any reason to think it's not important to understand exactly how hot it was at the bottom (and) what the material was that came in contact with the bottom?" he said.

The department planned to spend \$189 million over the life of the \$1 billion TMI cleanup.

"If we have to go the Congress, I'm personally prepared to do it myself," Bernthal said.

Before researchers can gain access to the bottom of the vessel, they must wait until all the damaged fuel is removed. The DOE has removed about a third of the 290,000 pounds of fuel and metal debris to a federal laboratory in Idaho Falls, Idaho.

During the accident, a combination of human and mechanical error allowed the reactor to overheat. Portions of the core melted and apparently slid into the bottom of the vessel and resolidified, according to James Broughton of EG&G Idaho, an Energy Department contractor.

# Request for accounting of TMI health and economic funds denied

By Connie McNamara  
Patriot-News

A federal court judge has denied a request by a group of local officials asking that an accounting of the Three Mile Island Public Health and Economic Loss funds be published in local newspapers.

The judge also denied the officials' request that \$600,000 from the Public Health Fund be earmarked for the purchase of radiation-monitoring equipment.

The funds were established as part of a class-action suit settlement in 1981.

U.S. District Judge Sylvia H. Rambo, in an order made available yesterday, denied several aspects of the petition filed by the officials in April.

In response to another request by the petitioners, Rambo ordered that the fund's administrator file the results of two radiation monitoring studies with the court within 90 days unless a good cause can be shown for not doing so.

A similar petition had been filed by officials in October, but was rejected in January for procedural reasons.

Public officials who submitted the April petition were state Sen. John Shumaker, R-Grantville; state Reps. Peter C. Wambach Jr., D-Harrisburg, and Bruce Smith, R-Newberry Twp.; City Councilwoman Harriet Braxton; and Dauphin County Commissioner Frederick S. Rice and former Dauphin County Commissioner Larry J. Hochendoner. The petitioners claim to represent the interests of class members living within a 25-mile radius of TMI, site of a March 29, 1979, accident.

A federal class-action suit resulted in a \$20 million settlement for economic losses resulting from the accident and \$5 million for public health studies to support research and education on radiation.

Rice, contacted about the decision yesterday, said he was "very disappointed."

He said that millions of dollars were set aside in the funds, and the public deserves a full accounting of it.

"I don't think we should stop here," Rice said, adding that the petitioners would have to confer on what actions to take next.

Smith, who also expressed disappointment, said that despite Rambo's decision, he still believes that petitioners were right in their requests.

Rambo, in a memorandum attached to her order, wrote that to grant the request to allocate \$600,000 for the monitoring equipment would mean freezing money already committed to other projects, since there was not \$600,000 that was unaccounted for remaining in the fund.

"Each of the projects to which funds have been committed has been judged by this court to be in advancement of the purposes of the Public Health Fund," Rambo wrote. "To reallocate funds from those projects would undermine their value."

The petitioners also requested the court appoint a custodian to produce an accounting of both the Economic Loss and Public Health funds and asked that the accounts be published as paid advertisements in local daily and weekly newspapers.

Rambo wrote that the firm of Philadelphia lawyer David Berger, who is administrator of the TMI funds, submitted an accounting of the Public Health Fund to the court April 27. An accounting of the Economic Loss Fund has also been included in an unrelated petition to the court concerning claims to be paid.

Since both accountings are now a matter of public record, "... to order the publication of the accounting, in four newspapers once weekly for three weeks would impose an unnecessary expense" upon the funds, Rambo wrote.

Petitioners also asked the court to remove Berger as administrator of the Public Health Fund and appoint a special master who would be required to submit bimonthly reports on the fund's interest earnings, disbursements paid and the status of other disbursement proposals.

In denying that request, Rambo wrote that Berger has acted within his authority as administrator. As for the petitioners' argu-

ment that the Berger firm contributed to delays in the administration of the fund, Rambo wrote that naming someone else to take his place would only cause further delays.

The petitioners' also asked for a five-year extension for requests for public health fund proposals if any money remains uncommitted in the fund. Rambo denied the request and wrote that since the small portion of the fund remaining will probably be used for administrative expenses arising from the fund's project and to pay Berger's fees, it was "unlikely" that the remaining money could be used for new funding proposals. Also, agreements are already in place which would govern the use of spillover money from the Economic Loss Fund, Rambo wrote.

A spokeswoman for TMI-Alert, an anti-nuclear group, said one of the main questions that has not adequately been addressed by Berger or the court is the matter of the substantial interest that must have been earned on the money in the funds.

## Ruling upheld in case of ex-TMI instructor

By Peter Kelley  
Washington Bureau

WASHINGTON — A federal judge has upheld the ban of a former training supervisor at the Three Mile Island nuclear plant from holding such jobs because of "a bad attitude."

In an April 2 ruling made available yesterday, Administrative Law Judge Morton B. Margulies cited Charles Husted for "flippancy" and "disdain" toward federal investigators looking into cheating on reactor operator tests.

Margulies found "no convincing evidence" that Husted, on an April 1981 senior reactor operator exam, meant to cheat by exclaiming "What ... does this mean?" upon reading a question about the theory of thermodynamics that he answered incorrectly.

The judge also found Husted's regular job performance acceptable, saying it "reflected very positively on his attitude" and did nothing to question his honesty.

However, he said Husted's conduct under later questioning could not be excused by physical and emotional stress, and criticized Husted for not changing his attitude sufficiently even during appeals of his case.

Margulies' 72-page decision, issued at NRC headquarters in Bethesda, Md., upheld previous rulings by the TMI-1 Licensing Board, another appointed judge, and an appeal board. The Nuclear Regulatory Commission in 1985 had allowed the second appeal.

It was a victory for the NRC staff and Three Mile Island Alert, the Harrisburg-based anti-nuclear group that recently celebrated its 10th anniversary.

As the series of appeals dragged on for years, TMIA was represented by Louise Bradford of Harrisburg, who was working as a waitress when she first got involved in TMI-related cases and picked up legal knowledge as she went along.

It was a setback for GPU Nuclear Corp., which operates the Londonderry Twp. nuclear plant, and for Husted — promoted by the

company in 1984 from training reactor operators to supervising training of other plant workers during its drive to restart the Unit 1 reactor.

GPU Nuclear did so to meet objections from the state of Pennsylvania and the Nuclear Regulatory Commission, but was criticized for the move anyway.

The judge ruled that Husted may not work as a licensed reactor operator, a licensed operator trainer or a supervisor of either licensed or non-licensed training, deciding Husted:

— Failed to cooperate with NRC investigators by refusing at first to answer questions about gossip he had heard near the coffee pot and men's room that two other operators were seen "passing papers" in an exam.

Husted in later hearings called the questions about rumors "stupid," and complained he had been attacked rather than cross-examined.

The judge said Husted's answers showed "a lack of reliability, credibility and responsibility" and "a resistance to testifying."

— Was not "forthright" during the investigation, citing as a "glaring example" this exchange during a sworn statement in October 1981:

Attorney: "May I ask you, what happens to fuel pin temperature over core life if an oxidizing layer builds up on the cladding surface?"

Husted: "No, you may not."

Attorney: "You don't know the answer?"

Husted: "Of course I know the answer. I think it's a ridiculous question. You asked me if you may ask me and my answer is you may not."

The question was rephrased and Husted replied correctly, "It increases."

Husted later said he got off on the wrong foot, acknowledging his answers were "cute" and saying he lost his temper because he had to wait more than two hours.

He has 30 days to appeal the case to the Atomic Safety and Licensing Board.

## Last awards granted from TMI loss fund

By Tom Dochat  
Patriot-News

Five unresolved claims in the Three Mile Island Economic Loss Fund were settled yesterday in U.S. Middle District Court.

Judge Sylvia H. Rambo approved awards totaling \$650,108 for the five business or real estate losses.

The largest award totaled \$514,726 for Harry Cramer Inc., a Middletown-area automobile dealership. The company had been seeking an award of slightly more than \$1 million.

Next largest was a \$127,000 award to the former Cumberland Skateium of Lower Allen Twp. The owner had claimed a real estate loss of \$457,000.

Yesterday's awards are said to be the final business or real estate claims to be resolved before Rambo.

The awards come out of the \$20 million economic loss fund established in 1981 as part of a settlement in a federal class-action lawsuit. Parties with business or real estate losses resulting from the March 1979 TMI accident had until April 1982 to seek reimbursement from the fund.

Rambo fixed the award to Cramer by comparing the company's yearly losses from 1979 to early 1982 with the average net profit in 1977 and 1978.

The fund's executive committee originally had awarded Cramer \$445,000, but the company felt its loss was closer to \$1 million.

A company representative testified Feb. 25 that many people stayed away from the dealership in the aftermath of the TMI accident when they learned it was less than three miles from the Londonderry Twp. reactor.

Rambo's award to the Cumberland Skateium was computed as the difference between the property's appraised value in May 1978 and its sale price.

She noted the appraisal totaled \$1.9 million and the sale price was \$1.7 million. This created a loss of \$200,000, but a \$73,000 depreciation — made by the claimant on tax returns — was deducted to leave an award of \$127,000.

The three other awards were: — \$4,200 to Mr. and Mrs. John Borelli of 5728 Crickett Lane, Lower Paxton Twp., for what they claimed as a decrease in their property's real estate value. Rambo affirmed the award issued by the fund's committee.

— \$4,032 to Robert Wagner of Hanover for the loss of real estate value of 14 lots he owns.

— \$150 for a real estate loss claimed by Mary Osborne, who said her vegetable garden was contaminated by radioactive fallout.

Previous distributions of business loss claims include the following: June 18, 1986, five claims totaling \$338,218; Nov. 14, 1986, 1,459 business claims totaling \$3,165,904; and Jan. 15, six claims totaling \$235,918.

Rambo also awarded \$1,685,636 for 1,366 real estate loss claims on Jan. 15.

# NRC tentatively approves step to circumvent foes of 2 reactors

Associated Press

WASHINGTON — The Nuclear Regulatory Commission yesterday tentatively approved easing emergency planning requirements for nuclear power plants, a step designed to circumvent state and local opposition to two multibillion-dollar reactors awaiting startup on the East Coast.

The decision, if ratified after a 60-day period for public comment, would clear the way for licensing the Shoreham plant on Long Island, N.Y., and the Seabrook plant in New Hampshire.

Those facilities, each costing more than \$4 billion, are strongly opposed by Govs. Mario Cuomo of New York and Michael Dukakis of Massachusetts, who

were among a score of elected officials who appeared before the commission Tuesday to protest the proposed rules change.

So far, Cuomo and Dukakis have managed to block the startup of Shoreham and Seabrook because NRC rules adopted in the wake of the 1979 accident at Three Mile Island near Harrisburg, Pa., require state and local cooperation in planning for the evacuation of residents within 10 miles of a reactor in the event of a major accident.

The two governors have refused, saying there is no way to guarantee the safe exodus of residents in the cases of Shoreham and Seabrook.

The proposed rules change would entitle the NRC to go ahead and license a plant in the absence of state and local cooperation on emergency plans. In such cases, the utilities would be required to develop evacuation plans which could be reasonably expected to work if local authorities did in fact respond to an emergency, regardless of their prelicense objections.

Dukakis described yesterday's 4-1 vote as "ill-advised, wrong-headed and a total disregard for the responsibility governors and states have to protect the public health and safety of their citizens."

"There's been a meltdown in the NRC's star chamber," Dukakis said.

Cuomo told the NRC Tuesday that the notion of ignoring state objections "suggests a policy that would be unconstitutional, a blatant disregarding of the need for evacuation, a repudiation of the president, a contradiction of the history of this commission ... and a further blow to your already diminished credibility."

The Patriot, Harrisburg, Pa., Wednesday, May 13, 1987

## NRC extends deadline for public opinion

The Nuclear Regulatory Commission has extended the deadline for comment on its proposal to allow licensing of nuclear reactors without state and local approval of emergency evacuation plans.

The period for public comment originally was scheduled to end May 5, but has been extended to June 4.

Under the proposed NRC rule, utilities would be permitted to develop and, if necessary, implement their own emergency plans, even though those plans may offer less protection than could have been achieved with state cooperation.

More than 2,500 responses on the proposal have been received from the public. Rules proposed by the NRC rarely elicit more than a few dozen public comments.

The Patriot, Harrisburg, Pa., Thursday, May 21, 1987

# Commissioners want to keep nuclear emergency planners

By Denise Laffan  
Patriot-News

County officials say they oppose plans for GPU Nuclear Corp. to use its employees to assist counties, schools and municipalities in developing emergency and evacuation plans to respond to incidents at the Three Mile Island nuclear power plant.

The proposal has been criticized by the Dauphin County commissioners and the director of the county Emergency Management Agency, who fear GPU Nuclear's involvement with emergency planning could taint the credibility of the program.

The commissioners yesterday approved a resolution to support the current planning arrangement, in which GPU Nuclear pays a Camp Hill consulting firm — Emergency Management Services Inc. — to assist municipalities and schools in five risk counties with developing emergency plans. The risk counties are Dauphin, Cumberland, York, Lebanon and Lancaster.

County EMA Director Michael E. Wertz said he opposes termination of EMSI's contract, in part because he does not believe GPU Nuclear employees will be able to devote sufficient time to emergency planning on top of their other duties. He also questioned whether such an arrangement would be perceived as credible.

In a letter to Phillip R. Clark, president of GPU Nuclear Corp., Wertz wrote: "The public could perceive a pro-nuclear slant to planning and training which could widen the existing credibility gap and adversely affect public relations."

GPU Nuclear spokesman Gordon Tomb said termination of

EMSI's contract is under consideration, but no decision has been made. He would not comment on why such action is being considered, or when a decision will be made.

Tomb said the company is committed to public safety, and this proposal "should not be taken as a lessening of our commitment to emergency planning."

Commissioner Norman P. Hetrick said GPU Nuclear, which operates TMI, is under no obligation to provide this service, but "I feel it's a service they should continue."

The commissioners supported Wertz in his protest of the GPU Nuclear proposal, but they refused to back his request to terminate the county's off-site radiation monitoring of the Londonderry Twp. nuclear plant.

Wertz said his agency is connected to GPU Nuclear's computer and receives information gathered from the company's off-site radiation monitoring stations.

The county began its monitoring as an assurance to the public. But, Wertz said, "If we are taking readings off GPU stations... I'm not sure where that assurance lies."

He suggested discontinuing the monitoring, which costs the county about \$3,000 a year. That suggestion was quickly dismissed by Hetrick, who said he believes the county's monitoring is important to county residents.

"It's a comfort factor for the citizens," Hetrick said. "I think it's \$3,000 well spent."

The Patriot, Harrisburg, Pa., Monday, May 4, 1987

# Nuclear liability

## If safe, industry should insure itself

THE PRICE-ANDERSON ACT, one of the basic underpinnings of nuclear power in the United States, is about to expire, setting the stage for what may become a major struggle in Congress this summer.

Price-Anderson requires that \$160 million of private insurance coverage be carried on each nuclear plant by its owners. Should damages from an accident exceed that amount the act requires that all nuclear utilities be assessed \$5 million per reactor to help pay the compensation. With about 106 nuclear plants in operation, this has the effect of limiting the nuclear industry's liability for any one accident to approximately \$690 million.

Whatever the outcome of the legislative battle, the liability limit almost certainly will be increased significantly, at least to \$2.5 billion and possibly removed entirely. Under a bill offered by Rep. Edward Markey, D-Mass., and others, utilities would be required to pay post-accident premiums of \$10 million a plant every year until all damages were paid. The effect would be to make utilities fully liable for damages caused by an accident resulting from negligence.

Another bill backed by Rep. Morris Udall, D-Ariz., essentially would operate the same way but set a cap of \$7 billion on utility

liability. Beyond that Congress would be required to consider dipping into the Treasury to provide "full and prompt" compensation.

The extent to which the nuclear industry should be liable for a nuclear accident has been a perennial question since Price-Anderson became law 30 years ago. During those years the industry was permitted to operate with a liability exposure far below the potential damages from a major nuclear accident. The federal government, in effect, served as the insurer of last resort, though that role has never been tested.

HOWEVER, THE ACCIDENT at Three Mile Island, where the known damage was confined to the plant itself, which was underinsured, did not instill any confidence that the federal government can be counted on to respond in timely fashion to pay claims or do much else in the event of a mishap.

The Price-Anderson liability limits have distorted the economics of nuclear power to the detriment of other possible sources of electricity and distorted the corporate risk associated with the technology, possibly to the detriment of safety. If nuclear power is as safe as its backers say it is, then its time for the owners of nuclear plants to assume full liability for their performance.

The Patriot, Harrisburg, Pa., Tuesday, May 5, 1987

# TMI-1 generates its highest output

By Denise Laffan  
Patriot-News

Three Mile Island's Unit 1 reactor, unable to reach full power since last year, is producing the highest power output in the plant's history, a company spokeswoman said.

The reactor is generating 887 megawatts of electricity, enough for more than 500,000 homes, said Lisa Robinson of GPU Nuclear Corp., TMI's operator.

Two shutdowns at the Lower Swatara Twp. plant on Friday and Saturday — one planned and one unplanned — apparently enabled the plant to reach 100 percent power. It had not been able to do so since it was restarted in March after a five-month refueling.

According to the company, mineral deposits in the two

steam generators interfered with the production of steam that drives the plant's turbine-generator, limiting the plant to 84 percent of power capacity.

The deposits had limited power in the past, but the problem had been corrected after a shutdown appeared to redistribute the deposits.

GPU Nuclear hoped for the same results with its planned shutdown Friday. The plant achieved 90 percent of capacity before an unplanned shutdown at 7:51 a.m. Saturday.

That shutdown occurred when an operator flipped the wrong switch, sending an incorrect signal to the reactor control system. The switching procedure is being reviewed, the company said.

Unit 1 was restarted Saturday afternoon and reached 100 percent of capacity Sunday.

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## TMI Alert observes anniversary

By Denise Laffan  
Patriot-News

Eight years have passed since the accident at Three Mile Island Unit 2, and Eric Epstein acknowledges the anti-nuclear movement has grown somewhat dispirited.

"How many letters can you write? How many phone calls can you make?" asked Epstein, a member of TMI Alert, a watchdog organization that held a news conference in the Capitol Rotunda yesterday to mark the March 28 anniversary.

Nevertheless, TMIA cannot be dismissed, he said.

"We're still around battling and we'll be around as long as TMI is here," Epstein said.

In marking the anniversary, the focus was not on the crippled Unit 2 reactor but on Unit 1, which is in operation despite strenuous opposition from TMIA and other groups.

Robert Pollard, nuclear safety engineer with the Union of Concerned Scientists, visited Harrisburg to publicize the group's petition to shut down Unit 1 and seven other reactors in the country designed by Babcock and Wilcox.

Over the last eight years, the NRC has noted the plants' safety problems and called for their correction, Pollard said. However, the

federal agency asserts the Babcock and Wilcox plants are safe enough to operate in the interim, he said.

He compared this attitude to the one that prevailed at NASA before the space shuttle Challenger exploded. NASA knew there were problems and yet continued to fly the shuttle, Pollard said.

The Patriot,  
Harrisburg, Pa., Saturday, March 21, 1987

## TMI Alert to turn 10

TMI Alert will celebrate its 10th anniversary Thursday at the Lakeside Lutheran Church, Green and Division streets. A spaghetti dinner will begin at 6:30 p.m., followed by a program with speakers at 8 p.m.

Sunday Patriot-News, Harrisburg, Pa., March 29, 1987

## Florida N-protesters act on TMI date

MIAMI — Anti-nuclear protesters marked the eighth anniversary of the Three Mile Island nuclear accident yesterday with a demonstration to warn that a similar problem could occur at the Turkey Point nuclear plant south of Miami.

About 30 people, including a nursery school teacher in mourning clothes, paraded in a circle outside the downtown office of Florida Power & Light Co., which owns the plant, urging further tests at the troubled plant.

Both Turkey Point units, 24 miles south of Miami, are shut down. Unit 3 is being refueled and Unit 4 is out of service to repair damage from a quarter-ton of radioactive boric acid that leaked into the reactor cap.

Joette Loria, director of the Center for Nuclear Responsibility in Miami, acknowledged that problems at Three Mile Island, near Middletown, Pa., have differed from those at Turkey Point thus far.

