

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
METROPOLITAN EDISON COMPANY AND) Docket Nos. 50-289
JERSEY CENTRAL POWER & LIGHT COMPANY) and 50-320
)
(THREE MILE ISLAND NUCLEAR GENERATING)
STATION UNITS 1 AND 2))

ORDER TO SHOW CAUSE

Metropolitan Edison Company is the holder of Provisional Construction Permit No. CPPR-40 issued May 18, 1968 for Unit No. 1, and Metropolitan Edison Company together with Jersey Central Power and Light Company are the holders of Provisional Construction Permit No. CPPR-66 issued November 25, 1969 for Unit No. 2. The provisional construction permits authorize the construction of two pressurized water nuclear reactors, designated as the Three Mile Island Nuclear Generating Station Units 1 and 2, located near Middletown, Pennsylvania. Each reactor is designed to operate initially at 2452 megawatts (thermal).

In accordance with section E of the Commission's regulations implementing the National Environmental Policy Act of 1969 (NEPA), Appendix D of 10 CFR Part 50 (Appendix D), the licensee has furnished to the Commission a written statement of reasons, with supporting factual submission, dated October 19, 1971, why the provisional construction permits should not be suspended, in whole or in part, pending completion of the AEC regulatory staff's NEPA environmental review.

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The Director of Regulation, upon consideration of the licensees' written statement of reasons and supporting factual submission and consideration and balancing of the criteria set out in section E.2 of Appendix D, has determined that construction activities involving the off-site portion of the transmission lines for Unit No. 2 should be suspended pending completion of those portions of the NEPA environmental review that relate to these matters for the reasons set out in the document entitled "Discussion and Findings by the Division of Reactor Licensing, U. S. Atomic Energy Commission, Relating to Consideration of Suspension Pending NEPA Environmental Review of the Provisional Construction Permits for the Three Mile Island Nuclear Generating Station Units 1 and 2, Metropolitan Edison Company and Jersey Central Power & Light Company Docket Nos. 50-289 and 50-320," appended hereto and made a part hereof. The basis for this determination includes the following considerations:

1. Significant additional environmental impact will result from these construction activities;
2. The adoption of alternative routes and/or designs for these systems or facilities might be difficult and expensive if construction were not now suspended; and
3. The incremental cost of suspending these construction activities is not excessive when considering the environmental values that may be preserved.

In view of the foregoing and pursuant to section E of Appendix D and §2.202 of 10 CFR Part 2, IT IS HEREBY ORDERED that the licensees show cause, in the manner hereinafter provided, why the above mentioned construction activities at the Three Mile Island Nuclear Generating Station for Unit No. 2 should not be suspended pending completion of the NEPA review of the environmental impact of the clearing of land for and the construction of the transmission lines.

The licensee may, within thirty (30) days of the date of this order, file a written answer to the order under oath or affirmation and demand a hearing as provided in 10 CFR §2.202. Any answer filed shall specifically admit or deny each finding made in the "Discussion and Findings of the Division of Reactor Licensing, U. S. Atomic Energy Commission, Relating to Consideration of Suspension Pending NEPA Environmental Review of the Provisional Construction Permits for the Three Mile Island Nuclear Generating Station Units 1 and 2, Metropolitan Edison Company and Jersey Central Power & Light Company, Docket Nos. 50-289 and 50-320" and made a part hereof and may set forth the matters of fact and law upon which the licensee relies. If a hearing is demanded, the Commission will issue an order designating the time and place of hearing. Upon failure of the licensee to file an answer within 30 days of the date of this order, the Director of Regulation will, without further notice, issue an order suspending construction activities involving the off-site portions of the transmission lines for Unit No. 2 pending completion of those portions of the NEPA environmental review.

In the event the licensees demand a hearing as provided above, the issue to be considered at such hearing shall be whether, upon consideration and balancing of the criteria set out below, construction activities involving the off-site portions of the transmission lines for the Three Mile Island Nuclear Generating Station Unit No. 2 should be suspended pending completion of those portions of the NEPA environmental review.

Criteria

- (a) Whether it is likely that continued construction of the above activities during the review period will give rise to a significant adverse impact on the environment; the nature and extent of such impact, if any; and whether redress of any such adverse environmental impact can reasonably be effected should modification, suspension or termination of the permit result from the ongoing NEPA review.
- (b) Whether continued construction of the above activities during the prospective review period would foreclose subsequent adoption of alternatives in facility design or operation of the type that could result from the ongoing NEPA environmental review.
- (c) The effect of delay in facility construction or operation upon the public interest of primary importance under this criterion are the power needs to be served by the facility; the availability of

alternative sources, if any, to meet those needs on a timely basis;
and delay costs to the licensee and to consumers.

This order is effective upon service.

FOR THE ATOMIC ENERGY COMMISSION

(signed) L. Manning Muntzing

L. Manning Muntzing
Director of Regulation

Dated at Bethesda, Maryland
this 29th day of November, 1971