



BURT C. PROOM, CPCU  
President

July 20, 1979

Mr. Jerome Saltzman, Deputy Chief  
Office of Antitrust & Indemnity  
Directorate of Licensing  
U. S. Nuclear Regulatory Commission  
Washington D.C. 20555

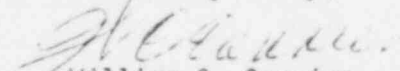
Re: Three Mile Island

Dear Jerry:

Three new suits have been filed in the United States District Court for the Middle District of Pennsylvania. Copies of complaints filed in each are enclosed for your file as follows:

1. Ronald E. Buchart versus Metropolitan Edison, et al -- Civil Action #79-832
2. Pancake House Realty Company, Inc. versus Metropolitan Edison, et al -- Civil Action #79-850
3. Cuts N' Stuf versus Metropolitan Edison, et al -- Civil Action #79-796

Yours very truly,

  
William C. Carrier  
Claims Counsel

WCC/pbs  
Enclosures

*Moliz  
7/11*

514 092

RECEIVED

JUL 16 1979

W. C. CARRIER

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD E. BUCHART, trading as  
NEWBERRY FARMS  
R.D. #1  
Box 509  
York Haven, Pennsylvania 17370

: CIVIL ACTION

79-832

v.

METROPOLITAN EDISON CO.  
2800 Pottsville Pike  
Muhlenberg, Pa. 19605  
and  
BABCOCK & WILCOX COMPANY  
161 E. 42nd St.  
New York, New York 10017

: JURY TRIAL DEMANDED

and  
J. RAY McLEMMOTT & COMPANY, INC.  
1010 Common Street  
New Orleans, Louisiana 70112

FILED

SCRANTON, PA.

JUL 2 1979

and  
GENERAL PUBLIC UTILITIES  
260 Cherry Hill Road  
Parsippany, New Jersey 07054

DONALD R. BERRY, Clerk

DEPUTY CLERK

and  
JERSEY CENTRAL POWER AND LIGHT CO.  
Madison and Punchbowl  
Morriston, New Jersey

and  
CATALYTIC, INC.  
1500 Market St.  
Centre Square West  
Philadelphia, Pa. 19102

: NO.

COMPLAINT

1. The plaintiff, Ronald E. Buchart, trading as Newberry Farms, operates a business establishment located on R.D.#1, York Haven, Pennsylvania 17370.

POOR ORIGINAL

514 093

2. ( ) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc. is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

-2-

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5. On or about March 23, 1979 the defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

13. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time, loss of sales and property devaluation.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.

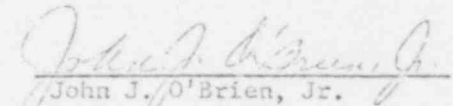
17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further, the plaintiff can show with clear records the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

  
John J. O'Brien, Jr.  
Richard F. Rosen  
John J. O'Brien, III

United States District Court

FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

CIVIL ACTION FILE NO. 79-850

PANCAKE HOUSE REALTY COMPANY, INC.

Plaintiff

v.

SUMMONS

METROPOLITAN EDISON CO.;  
BARCOCK & WILCOX COMPANY;  
J. R. McDERMOTT & COMPANY, INC.;  
GENERAL PUBLIC UTILITIES;  
JERSEY CENTRAL POWER & LIGHT CO.  
CATALYTIC, INC.

Defendants

To the above named Defendant :

You are hereby summoned and required to serve upon

John J. O'Brien, Jr., Esquire  
Richard F. Rosen, Esquire  
John J. O'Brien, III, Esquire

plaintiff's attorney, whose address

1260 Suburban Station Bldg.  
Philadelphia, Pa. 19103

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Donald R. Berry

Clerk of Court.

*Jacqueline Butterly*  
Jacqueline Butterly Deputy Clerk.

Date: July 5, 1979

[Seal of Court]

NOTE:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

POOR ORIGINAL  
514 099



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PANCAKE HOUSE REALTY COMPANY, INC. : CIVIL ACTION  
41 South Third Street  
Lewisburg, Pennsylvania 17837

v.

METROPOLITAN EDISON CO.  
2800 Pottsville Pike  
Muhlenberg, Pa. 19605  
and  
BABCOCK & WILCOX COMPANY  
161 E. 42nd Street  
New York, New York, 10017  
and  
J. RAY McDERMOTT & COMPANY, INC.  
1013 Common Street  
New Orleans, Louisiana 70112  
and  
GENERAL PUBLIC UTILITIES  
260 Cherry Hill Road  
Parsippany, New Jersey 07054  
and  
JERSEY CENTRAL POWER AND LIGHT CO.  
Madison and Punchbowl  
Morristown, New Jersey  
and  
CATALYTIC, INC.  
1500 Market St.  
Centre Square West  
Philadelphia, Pa. 19102

OT 10 0  
: JURY TRIAL DEMANDED

FILED  
SCRANTON, PA.

6 1970

DONALD W. BERRY, Clerk  
PER \_\_\_\_\_  
DEPUTY CLERK

: NO.

COMPLAINT

1. The plaintiff, Pancake House Realty Company, Inc. operates various business establishments:  
Riverview Motel, 840 N. Front Street, Wormleysburg, Pa.  
Travelers Lounge, 860 N. Front Street, Wormleysburg, Pa.  
Perkins Pancake House, 880 N. Front St., Wormleysburg, Pa.

514 100

2. (a) The defendant, *Union Electric Co.*, is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, *Babcock and Wilcox Co.* is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, *J. Ray McDermott & Company, Inc.* is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, *General Public Utilities*, is a Pennsylvania corporation with offices located at 260 Cherry Road, Parsippany, New Jersey 07054.

(e) The defendant, *Jersey Central Power and Light Co.*, has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, *Catalytic, Inc.* is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

514 101

5. On or about March 28, 1979 the Defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction, and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

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13. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II)

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time and loss of sales and property devaluation.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.


17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further the plaintiff can show with its receipts the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.

  
\_\_\_\_\_  
John J. O'Brien, Jr.  
Richard F. Rosen  
John J. O'Brien, III

United States District Court

FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

12 1979  
W. C. CARTNER

CIVIL ACTION FILE NO. 79-796

CUTS N'STUF

Plaintiff

v.

METROPOLITAN EDISON COMPANY, BABCOCK & WILCOX  
COMPANY, J. RAY McDERMOTT & COMPANY, INC.,  
GENERAL PUBLIC UTILITIES, JERSEY CENTRAL POWER  
& LIGHT COMPANY and CATALYTIC, INC.

Defendant

SUMMONS

To the above named Defendant :

You are hereby summoned and required to serve upon John J. O'Brien, Jr., Esq.

plaintiff's attorney , whose address

1260 Suburban Station Bldg.  
Philadelphia, Penna. 19103

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

DONALD R. BERRY

*Nancy L. Scarlan*  
Nancy L. Scarlan Clerk of Court.  
Deputy Clerk.

Date: June 25, 1979

[Seal of Court]

NOTE:—This summons is issued pursuant to Rule 1 of the Federal Rules of Civil Procedure.

514 106

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CUTS N' STUF  
209 S. Market St.  
Mechanicsburg, Pa. 17055

CIVIL ACTION

79-796

V.

MF DELTAN EDISON CO.  
2800 Gettysville Pike  
Muhlenberg, Pa. 19605

JURY TRIAL DEMANDED

and  
BABCOCK & WILCOX COMPANY  
161 E. 42nd Street  
New York, New York 10017

and  
J. RAY McDERMOTT & COMPANY, INC. :  
1010 Common Street  
New Orleans, Louisiana 70112

and  
GENERAL PUBLIC UTILITIES  
260 Cherry Hill Road  
Parsippany, New Jersey 07054

and  
JERSEY CENTRAL POWER AND LIGHT CO.  
Madison and Punchbowl  
Morristown, New Jersey

and  
CATALYTIC, INC.  
1500 Market St.  
Centre Square West  
Philadelphia, Pa. 19102

: NO.

FILED

SCANTON, PA.

SEP 15 1979

DONALD R. BEAVER, CLERK

PER \_\_\_\_\_  
DEPUTY CLERK

COMPLAINT

1. The plaintiff, Cuts N' Stuf, is a beauty salon with its place of business located at 209 S. Market Street Mechanicsburg, Pennsylvania 17055.



2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2300 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co. has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

5. On or about March 13, 1979 the Defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of an ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

13. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts(II).

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time and loss of sales and service.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.

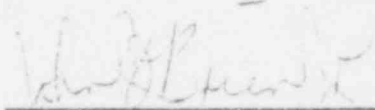
17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further, the plaintiff can show with its receipts the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.



John J. O'Brien, Jr.

Richard F. Rosen

John J. O'Brien, III