



POOR ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289
)	(Restart)
(Three Mile Island Nuclear Station,)	
Unit No. 1))	

REVISED CONTENTIONS OF THREE MILE ISLAND ALERT INC.

Pursuant to the Board's Memorandum and Order dated September 21, 1979, intervenors were directed to file revised contentions by October 22, 1979. Accordingly, Three Mile Island Alert Inc. (TMIA) files the following contentions:

REVISED CONTENTION 1.

It is contended that the short term actions proposed by the licensee will not adequately protect the members of TMIA, whose members live within twenty (20) miles of the plant, from abnormal and unhealthy additional releases of radiation. As a result of the accident at TMI Unit #2, radioactive gases in excess of permissible limits were released into the atmosphere. These releases included:

(a) I-133, which was released over a thirty-four (34) day period following the accident in amounts in excess of 26.84 Ci;

(b) Krypton-88, which, during the first day of the accident alone, was discharged into the atmosphere in an amount of $6.1E + 4$ Curies;

1302 324

7911090005

(c) Xenon releases of at least 10 million Curies, far in excess of NRC regulations. For example:

POOR ORIGINAL

(i) Xenon 133M: 170,000 Curies over a ten day period

(ii) Xenon 135: 1.5 million Curies over a seven (7) day period

(iii) Xenon 135M: 140,000 Curies over a three (3) day period

Other radioactive gases released as a result of the accident at Unit #2 include Ruthenium - 103, - 106; Tritium; and Bromine -82, -83, -84, -85.

These releases will have long term health effects on the members of TMIA. If TMI Unit #1 were to be reopened, the adverse health effects to the members of TMIA would be magnified since Unit #1 will release additional amounts of radiation into the environment. Since radiation affects the body in a cumulative manner, the additional releases from Unit #1 will have a direct adverse health effect on the members of TMIA.

In addition, the cleanup of Unit #2 will undoubtedly result in both planned and unplanned discharges of radiation into the environment. Since the members of TMIA have already received dosages of radiation far in excess of that which would have been received had there been no accident, the cumulative effect as described above may ultimately cause sickness and death to some members of TMIA.

It is contended that the short term actions proposed by licensee do not adequately deal with this problem.

1302 325

POOR ORIGINAL

REVISED CONTENTION 2.

TMI contends that the additional low-level radiological discharges from Unit #1, in addition to those high-level discharges that have and will be discharged as a result of the TMI accident, will have a significant adverse effect on the water quality in the Susquehanna. During decontamination, there exists the real possibility of discharges of radioactive wastewater into the Susquehanna. Even if decontamination is done according to present plan, the system, Epicore II, cannot remove radioactive tritium from the decontaminated water. This tritium will be discharged into the Susquehanna River. If Unit #1 were to reopen while decontamination of Unit #2 was continuing, additional discharges of radiation into the Susquehanna will occur. Radioactive releases into the river as a result of the accident at TMI #2, have resulted in presently ascertainable damage to the fish and wildlife in and around the river, thereby increasing the probability of radiation in the food chain. Therefore, it is contended that no consideration be given to reopening Unit #1 until TMI Unit #2 is decontaminated to pre-March 28, 1979, levels, and the effects of the accident and subsequent decontamination on the water quality in the river have been thoroughly analyzed.

REVISED CONTENTION 3.

It is contended that if Unit #1 is reopened, fear of another Unit #2 type accident will cause mental health problems, in varying degrees, to many people living near the plant. This fear will also adversely affect the economy of the region because employees will be absent from work due to mental anxiety, people

POOR ORIGINAL

will leave their jobs and move from the area, and new businesses will refuse to locate in the area. It is contended, therefore that the health and economic consequences brought about by the fear and anxiety which will occur, and increase, if Unit #1 is reopened, outweigh the benefits that will be obtained thereby.

REVISED CONTENTION 4.

It is contended that if Unit # 1 is reopened many people from all over the country will be fearful and angry. Many of these people will come to Middletown and attempt to keep Unit #1 closed by using both violent and non-violent means. As a result, considerable civil disruption will occur in the area surrounding the plant. Local and State authorities are not presently equipped to deal with the types of civil disruptions that may very well occur. It is contended that the additional costs which will have to be incurred by the State and the local municipalities involved, in order to deal with the civil disruptions, have not been evaluated at all. Furthermore, it is contended that this disruption, added to a crippled #2 reactor that will be contaminated with highly radioactive material for years to come, is an unreasonable and unacceptable cost not outweighed by the benefits of reopening Unit #1. The short term actions proposed by the licensee do not deal with this eventuality.

1302 327

REVISED CONTENTION 5.

It is contended that Met-Ed has negligently and on occasion, willfully violated NRC regulations concerning the safe operation of both Units #1 and #2, in that it has deferred necessary maintenance and repairs in order to minimize reactor downtime, to the detriment of the integrity of the nuclear facility itself. The licensee has, in the past, allowed work orders to go undone in order to avoid shutting Unit #1 down to perform necessary maintenance. The licensee would allow work orders to pile up until refueling, at which time the licensee would attempt to do all the work required. Just to complete essential maintenance in the short time available, employees were worked to a point where they were no longer effective because of fatigue. These actions, and actions of this type, reflect negatively upon the ability of the licensee to safely operate a nuclear facility. Consequently, it is contended that Met-Ed is incapable of safely operating TMI #1 and that its operating license should be revoked permanently.

REVISED CONTENTION 6.

It is contended that Met-Ed does not have the financial capability to:

- (1) comply with technical changes that may be demanded as a result of the accident at Unit #2, and
- (2) comply with regulations of the NRC requiring the expenditure of additional sums of money either for mandated design changes or changes in the financial protection requirements of 10CFR Part 140.

1302 328

POOR ORIGINAL

Because of the licensee's problems with Unit #2, it has been unable to meet its energy obligations to the PJM interconnect. As a consequence, the licensee's deferred energy balance owed PJM may very well exceed its short term debt by February, 1980. If this occurs, the licensee's ability to borrow money will cease, and there is the real possibility of the licensee going bankrupt. It is contended, therefore, that the licensee does not presently, or for the foreseeable future, have the financial requirements necessary to operate a nuclear facility.

REVISED CONTENTION 7.

It is contended that the licensee will be unable to adequately deal with a design basis accident of class one through eight if one should occur at Unit #1 while decontamination continues at Unit #2. The Unit #2 containment building and vessel today house in excess of half a million gallons of highly contaminated wastewater, and another 250,000 gallons are stored in auxiliary storage buildings on the island. Presently, there is no approved timetable for the safe decontamination of Unit #2. It is contended that the wastewater storage capability of Unit #1 if an accident were to occur, would be insufficient, since a large portion of this capacity may ultimately be committed to the safe decontamination of Unit #2. Furthermore, even if no accident should occur at Unit #1 there is a possibility of an accident occurring at Unit #2 during decontamination which would result in the diversion of all Unit #1 storage capacity to Unit #2, thereby leaving Unit #1 unable to cope with any

1302 329

type of accident that would produce abnormal amounts of radioactive wastewater. If an accident of the magnitude of that which occurred at Unit #2 were to occur at Unit #1, wastewater storage facilities at Unit #2 would have to be borrowed, just as Unit #1 facilities have been borrowed to deal with the accident at Unit #2. Since there is presently insufficient storage capacity on the island to deal with a Unit #2 accident at Unit #1 it is an unreasonable and unacceptable risk to the public health and safety to reopen Unit #1 until Unit #2 has been safely decontaminated. The short term actions proposed by the Licensee do not adequately deal with the scenarios described herein.

REVISED CONTENTION 8.

The involvement of the NRC in any decision to restart Unit #1 is critical. The plant cannot reopen without NRC approval. There can be no reasonable basis to deny that such actions are covered by the National Environmental Policy and it is contended therefore, that a decision to reopen Unit #1 is a major federal action significantly affecting the quality of the human environment. Accordingly, it is contended that an environmental impact statement must be filed prior to restarting Unit #1.

The FES must consider, among other things, the socio-economic costs of

1302 330

reopening the plant versus the benefits; whether the plant is necessary to the energy needs of the licensee's customers; and, finally, the costs of converting Unit No. 1 to a coal-fired plant.

Respectfully submitted,

Three Mile Island Alert Inc.

By: Theodore A. Adler

Theodore A. Adler, Esquire
Widoff Reager Selkowitz & Adler

Post Office Box 1547
Harrisburg, Pa. 17105
Telephone: (717) 763-1383

1302 331

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

_____)	
In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289
)	(Restart)
(Three Mile Island Nuclear)	
Station, Unit No. 1))	
_____)	

CERTIFICATE OF SERVICE

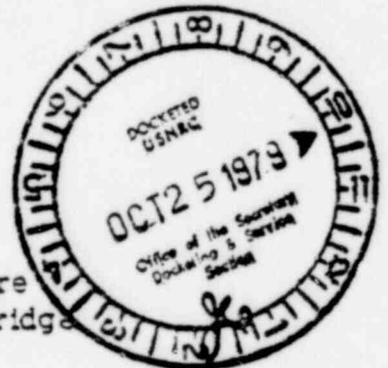
I hereby certify that copies of Revised Contentions of TMIA, INC. dated 22 October 1979 have been served upon the following by deposit in the United States mail, postage prepaid, this 22nd day of October, 1979:

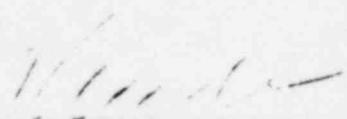
Ivan W. Smith, Esquire
Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Marcia E. Mulkey
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Chief,
Docketing and Service
Section
Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

George F. Trowbridge, Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, D.C. 20006
(hand delivered to representative
of licensee)





Theodore A. Adler

POOR ORIGINAL

1302 332