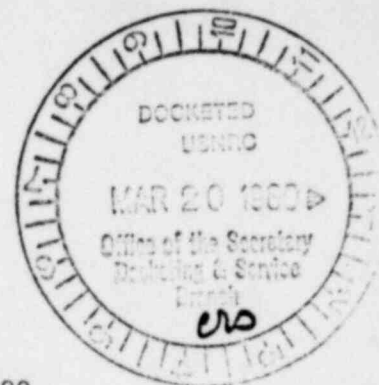


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



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

COMMONWEALTH'S RESPONSE TO INTERROGATORIES
OF STEVEN C. SHOLLY (FIRST SET)

08-001 Describe the communications links between agencies of the Commonwealth and the Licensee's control room for TMI-1. In the description, describe the extent to which backup, redundant links exist, and, if none exist, the conditions under which the communications link could fail to work properly.

RESPONSE

The primary communications link that exists between the Pennsylvania Emergency Management Agency (PEMA) and the control room for Three Mile Island Unit One is commercial telephone. The backup system, which supplies redundancy, is the State National Warning System (NAWAS) circuit. (Henderson, PEMA)

08-002 What is the Commonwealth's position regarding the sufficiency of Licensee's Emergency Planning Zones (EPZ's) for Plume and Ingestion Exposure Pathways?

RESPONSE

The Commonwealth has no conflict with the Licensee's definition of the EPZ's for Plume and Ingestion Pathways because the Licensee has accepted the Commonwealth's positions on which municipalities, facilities or geographic borders are within the EPZ's. (Henderson, PEMA)

08-003 Licensee states in several places in the Emergency Plan (section 4, Restart Report) that there was close coordination between the State Emergency Plan and Licensee's Emergency Plan as these documents were developed. Provide documentation which would either support or refute this claim, including in such documents letters, transcripts of meetings, and other memoranda which deal with development of emergency plans and coordination between the Commonwealth's plan and Licensee's plan.

RESPONSE

Attached are the following documents:

Memo - PEMA to Metropolitan Edison dated June 22, 1979, providing rewrite of Annex E on fixed nuclear facility incidents to be used as guidance in developing the TMI plan.

Meeting outline, agenda and attendee list of a working meeting between PEMA, Metropolitan Edison, Philadelphia Electric and Duquesne Light held on July 18, 1979 in the PEMA conference room to review in detail the planning elements in the draft plans to be sure that there was a complete understanding and workability of the plans.

Letter - Henderson to Metropolitan Edison dated October 2, 1979 providing the draft Annex E dated September, 1979, which was prepared based upon the meeting in July and informal exchanges such as telephone calls.

08-004 Provide a copy of the most recent letter of understanding with Licensee regarding Commonwealth assistance during emergencies at TMI-1.

RESPONSE

The following letter of agreement between the Licensee and the Commonwealth are attached.

1. Letter dated December 24, 1979, from Metropolitan Edison to PEMA accepting facility responsibilities in Annex E.

2. Letter dated January 3, 1980, from PEMA to Metropolitan Edison pledging full and active assistance in all emergency operations which might be necessitated by nuclear radiation incidents occurring in TMI.

08-005 To what extent does the Commonwealth have the capability to independently assess the magnitude and composition of radioactive releases from TMI-1 in the event of an accident? How long might it take for the Commonwealth's monitoring capabilities to be placed in service (provide upper and lower bound estimates on best possible response and a worst case response, i.e., a middle-of-the-night incident during a snowstorm or heavy rain)?

RESPONSE

Accident assessment depends strongly on analysis of Licensee information regarding the nature of the accident and the status of consequence mitigating features. Our assessment may not necessarily agree with that of the Licensee and in that sense is independent. This assessment can be made in minutes. Severe accidents can be assessed faster than lower consequence accidents.

Field measurement capabilities, expected to be in place before July 1, 1980, include Geiger-Muller survey meters, and air sampling and field analysis for airborne radioiodines. The one role of these measurements is to support or refute the assessment tactic described above. The absence of measurements is unlikely to impede recommendation of protective actions for severe accidents.

Response times for the site in question range from a minimum of one hour to several hours. (Reilly, BRP)

08-006 . Provide documentation which evidences Licensee contact with the Commonwealth regarding the 50-mile EPZ for Ingestion Exposure and the necessary emergency plans for coping with a

release which would require implementation of protective actions within the Ingestion EPZ.

RESPONSE

This agency does not maintain records of such contacts with the Licensee. (Reilly, BRP)

03-007 In response to ANGRY interrogatories to the Commonwealth #16, Col. Henderson lists assumptions utilized in determining evacuation time requirements. The assumption of "prior mobilization and stationing of emergency forces from State and county" appears to be indefensively optimistic and does not reflect the reality of the situation. In the event of another accident at TMI requiring evacuation, numerous persons, including fire fighters, have stated that they would not stay, but would evacuate with the rest of the population. In addition, there are numerous accident sequences which would not permit prior mobilization of emergency forces and their stationing at appropriate locations. Thirdly, many of these persons have families of their own which they would naturally consider to be their first responsibility in the event of an accident serious enough to require a general evacuation. In view of these points, to what extent are the evacuation time estimates provided in answer to ANGRY interrogatory #16 sensitive to the assumption of prior mobilization and stationing of emergency forces from the State and counties? If it is assumed that no prior mobilization and stationing, or only partial mobilization and stationing is possible prior to the evacuation order going out, how much longer could the evacuation require?

RESPONSE

Evacuation plans--and assumptions associated therewith--may be considered the initial information base, to which elected officials and their agents must add specific details of the evolving emergency situation in order to make appropriate decisions and initiate adequate response actions.

The assumption of "prior mobilization and stationing of emergency forces from State and county" refers to movement time for evacuation of 100% of the population under optimum conditions. Obviously, adverse weather, more stringent time constraints, prior spontaneous evacuation

of portions of the populace, dedication of public servants, and other considerations would have an impact on total evacuation time requirements. In general, with less preparation time one can anticipate a less orderly and more time consuming evacuation movement. (Henderson, PEMA)

08-008 Licensee's emergency event classification scheme and the scheme used by the Commonwealth are very dissimilar. In view of recent events (i.e., the releases of radiation from Unit 2 and subsequent failure of timely notification by the Licensee), how do these differences in event classification lend maximum protection to public health and safety when there is such a clear opportunity for human error in interpreting events and classifying them?

RESPONSE

Licensee's emergency event classification scheme and the one used by the Commonwealth are not that dissimilar (see agreement letter from Metropolitan Edison attached). Commonwealth generalized the initial notification to provide simplicity and speed to the initial notification. The release from Unit 2, referred to, had nothing to do with classification. NUREG-0610, dated September, 1979, has since been adopted by both Licensee and Commonwealth for event classification. (Henderson, PEMA)

08-009 In 1974, then Governor Milton Shapp appointed a Fact-Finding Committee to investigate health effects allegations about radioactive releases from the Shippingport Nuclear Power Station. That Fact-Finding Committee (hereinafter referred to as GFFC, Governor's Fact-Finding Committee) made numerous recommendations regarding radiation monitoring. Among these recommendations were:

- a. That the Commonwealth immediately begin an independent comprehensive environmental radiation monitoring program in the vicinity of all nuclear reactors in the Commonwealth, and that the results from such a program should be freely available to the public.

- b. That a certified Health Physicist be located at each plant to review environmental radiation monitoring program results.

Five years later during the TMI-2 accident, it was clear that these recommendations had not been followed through. What steps are the various Commonwealth agencies taking to ensure that the many recommendations made as a result of the TMI-2 accident are followed through to their completion? What steps is the Commonwealth taking to monitor Licensee followthrough on commitments made in the wake of the Unit 2 accident?

RESPONSE

Objection. Counsel for the Commonwealth and staff of the Bureau of Radiation Protection have examined this interrogatory at length and reluctantly have concluded that the Commonwealth must object to this interrogatory in its current vague and confusing form. The first ground of our objection is that the two questions asked appear to bear no relationship to the previous statements, unless the preliminary statements were intended to narrow the questions to the subjects of monitoring and employment of certified health physicists. If that is the function of the preliminary statement, Mr. Sholly should so state. Otherwise, we do not know what the questions were intended to mean as modified by the preliminary statement.

Second, we do not know whose recommendations to what agencies on what subjects and what commitments to what agencies on what subjects are the bases of the two questions. Recommendations have been made by many entities and individuals, on many subjects, published and unpublished, official and unofficial since March 28, 1979. We do not object to answering properly framed questions about such matters (see, e.g., Commonwealth's response to ANGRY Interrogatory No. 30.) However, counsel for the Commonwealth needs enough information to be able to refer the interrogatory to the appropriate state agency, if not the appropriate

individual, for response. Unfortunately, Mr. Sholly's interrogatory is not sufficiently precise to enable counsel to do that. However, the Commonwealth does believe that the interrogatory could be redrafted to be clear, comprehensible and answerable along the lines of ANGRY interrogatory No. 30. The Commonwealth is ready to answer such an interrogatory, and to urge that the Board give Mr. Sholly an opportunity to submit such a redrafted interrogatory to the Commonwealth as soon as Mr. Sholly is able to do so. (This response, although styled an objection, should not be construed as an acknowledgement of any legal duty of a non-party in an NRC proceeding to respond to interrogatories or object to them.).

Respectfully submitted,

Karin W. Carter

KARIN W. CARTER
Assistant Attorney General

Attorney for
The Commonwealth of Pennsylvania

March 17, 1980

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NUCLEAR REGULATORY COMMISSION

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In the Matter of)
METROPOLITAN EDISON COMPANY,)
(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289
(Restart)

AFFIDAVIT OF MARGARET A. REILLY

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF DAUPHIN)

SS



MARGARET A. REILLY, being duly sworn according to law, deposes and says that she is Chief of the Environmental Radiation Division, Bureau of Radiation Protection, Department of Environmental Resources; and that the information contained in Commonwealth's Response to Interrogatories of Steven C. Sholly (First Set) numbered 08-005 and 08-006 is true and correct to the best of her knowledge, information and belief.

Margaret A. Reilly
MARGARET A. REILLY
Chief, Environmental Radiation Division
Bureau of Radiation Protection

Sworn to and subscribed
before me this 17th day
of March, 1980.

Lucy M. Conko
NOTARY PUBLIC
Lucy M. Conko, Notary Public
My Commission Expires May 2, 1983
Harrisburg, Pa. Dauphin County