



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

In the matter of:

BRIEFING ON ASSESSMENT OF CLEAN-UP
AT THREE MILE ISLAND

Place: WASHINGTON, D. C.

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

NORRIS F. SWETLAND, OFFICIAL REPORTER

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Room 1130
Eleventh Floor
1717 H Street, N. W.,
Washington, D. C.

Wednesday, March 5, 1980

The Commission met, pursuant to notice, commencing at 10:05 a.m., the Honorable John F. Ahearne (Chairman of the Commission), presiding.

PRESENT: Chairman Ahearne
 Commissioner Gilinsky
 Commissioner Hendrie
 Commissioner Bradford
 Leonard Bickwit, Esq.,
 General Counsel

ALSO PRESENT: W. DIRCKS

N. HALLER

AND OTHERS.

P R O C E E D I N G S

CHAIRMAN AHEARNE: Good morning.

We meet today to hear from Norm Haller who headed up a review team that went up to Three Mile Island to look at Three Mile Island II to address the situation with respect to what was happening on the cleanup; what was happening with regard to the personnel in the area, both the NRC and the licensee and to tell us what kind of problems exist; what kind of problems might be forecast for the future and to make recommendations as to what we in NRC ought to be doing.

The team was sent up, given guidance by the Acting Executive Director for Operations, Mr. Dirks and so, Will, would you like to lead off?

MR. DIRCKS: Just a few words. We acted after the Commission said take another look at how things are going up there and at the pace that things are moving.

In reading the report, in talking with the team, I guess my reaction was that what has happened in that as other events have occurred, the attention that I think the plant deserves has been somewhat diminished.

What the feeling is that it is difficult to make any forward motion because the people feel the lack of operating criteria under which people can take actions and make decisions.

I think as we will find out in the report that Norm talks about today, the most urgent thing is to play

1 out a set of criteria by which people at various levels can
2 take action and make decisions.

3 If we cannot get that straightened out we will find
4 ourselves hampered doing studies as to what should be done.
5 The plan is there. There is no immediate hazard and safety
6 problem.

7 What we want to do is to take actions now so that
8 we can start things moving.

9 Norm, I think, has done an excellent job.

10 CHAIRMAN AHEARNE: With your able assistance.

11 MR. DIRCKS: He is going to mention the team. I
12 think the most notable thing is we had a due date of
13 February 29 and if you will note, the report was done on
14 February 29; an achievement in and of itself.

15 With that, I think Norm -- why dont you pick up and
16 start moving. As you note on the covering memorandum, it is
17 suggested that we move ahead with certain things immediately.
18 Depending on the outcome of this meeting, I will sign the
19 necessary documents.

20 MR. HALLER: Let me start by introducing the other
21 members of the Team just for a moment. We did, indeed, have
22 a number of distinguished members on the Team and let me
23 ask them just to raise their hand or something.

24 First is Dr. Palladino, Dean of the College of
25 Engineering, Pennsylvania State University; Robert Bernero,
26 Director, Probabilistic Analysis Staff, NRC; Karl V. Seyfrit,

Director, NRC Region IV, Office of Inspection and Enforcement,
 Dallas, Texas; Daniel R. Muller, Director, Division of Site
 Safety & Environmental Analysis, NRC; Robert E. Browning,
 Deputy Director, Division of Waste Management, NRC; Robert A.
 Purple, Assistant Director, Radiological Health & Safeguards
 Standards, NRC; Bernard J. Snyder, Assistant Director for
 Policy Review, Office of Policy Evaluation, NRC; Steven C.
 Goldberg, Office of the Executive Legal Director, NRC; and
 Sheldon L. Trubatch, Office of the General Counsel, NRC.

That was the Team and we did, indeed, work quite
 hard to meet the deadline and I will make one comment -- that
 the briefing this morning is based on our report which actually
 has a date of February 28, although I must admit we did some
 final proofing on the morning of the 29th to get it ready.

With that, let me turn to this second viewgraph
 which gives an outline for the presentation today.

(Showing of viewgraph)

I want to discuss very briefly with you the purpose
 of the Special Task Force; also the approach that we followed
 in carrying out our activities.

I have some slides that hit the key findings and the
 key recommendations that we made and finally, we intend to
 discuss where we are going from here.

All right, let us go to the third slide, please.

Just to reiterate again, the purpose of the Special
 Task Force -- this was based on Mr. Dircks' memorandum and

1 also the meeting on the morning of February 19 when we were
2 gathered together at 8:30 and told that we had this assignment.

3 The basic mission is shown on this slide. It was
4 to evaluate the cleanup operations, including the way in
5 which things are being carried out, or the approach as well
6 as the pace of activities.

7 We were asked to assess future plans. We were
8 asked to examine various problems and make recommendations
9 regarding those problems and finally, identify legal require-
10 ments and appropriate response to those requirements.

11 We were asked to cover both licensee as well as
12 NRC activities and we were to report to the Commission within
13 ten days.

14 Next slide, please.

15 The approach is shown here. The first and most
16 important thing we did was, of course, to organize our work
17 to meet the time constraints that we were under.

18 Barbara Narrow (phonetic spelling) was able to
19 get some of the technical analysis started I believe the
20 day after we first met, around February 20.

21 Over the next several days we met with NRC, DOE,
22 the licensee, and State and local officials.

23 We met with the staff members of the Council on
24 Environmental Quality on February 25 and the last few days
25 we used to prepare our report, focusing very heavily on the
26 findings and recommendations of that report.

1 Next slide, please.

2 Now, this beings to get into the actual meat of
3 the report. I want to start with this next series of
4 four slides by indicating that the main thrust of our
5 findings and recommendations I feel is captured in the
6 covering memorandum which I forwarded to Mr. Dircks on the
7 28th.

8 The key message there, of course, is that prompt
9 action is needed by NRC to restore forward motion to the
10 Three Mile Island cleanup process.

11 We note in that memorandum some of the things that
12 we observed during our discussions with various people. At
13 this point, let me start to discuss some of the key findings.
14 However, before I do that I want to caution you that the
15 words which are contained on this viewgraph are simply
16 short, key word extractions from the more detailed findings
17 and recommendations in the report and the purpose of these
18 is simply to provide a short graphics so that I could get it
19 out on a reasonable number of pages for this presentation, but
20 by no means should these words be intended to supplant the
21 more detailed and rigorous thought that went into the
22 actual wordings and findings of those recommendations.

23 So, those are the real guides.

24 CHAIRMAN AHEARNE: I am sure.

25 MR. HALLER: Good.

Starting, then, with the first bullet here I will

1 work my way through these. One of the findings was that
2 zero releases at this facility are impossible. However, the
3 policy issued by the Commission in November is being
4 interpreted by the staff and by others as meaning, in effect,
5 zero releases.

6 Well, with this kind of prohibition the cleanup
7 simply is hampered and cannot move forward as it ought to move
8 forward.

9 CHAIRMAN AHEARNE: It is difficult even to make
10 plans where you can --

11 MR. DIRCKS: Survey work, if you dont have a plan
12 you are going around in a vicious circle.

13 MR. HALLER: The staff authority is unclear. There
14 is uncertainty as to what decisions they can and cannot
15 make and because of this uncertainty, I believe they tend
16 to want to send all the decisions to the Commission.

17 CHAIRMAN AHEARNE: Is the example that you cite
18 in your report, is it focused also entirely upon decisions
19 which would lead to releases?

20 MR. HALLER: That is correct.

21 CHAIRMAN AHEARNE: So, is this still focused on the
22 zero release issue and the related problems, or when you
23 say the staff authority is unclear, does it go beyond that,
24 beyond the two issues that dont effect releases?

25 MR. HALLER: I think the major focus of this is on
authority to make decisions that have to do with releases. This

1 is not an attempt to say that the staff is totally impotent
2 because they do on a continuing basis on-site procedures,
3 review procedures, but is primarily focused on this release
4 aspect.

5 COMMISSIONER HENDRIE: But, since the whole operation
6 has to get fission product containment I assume any forward
7 motion inevitably involves some steps that could involve some
8 releases.

9 MR. HALLER: That is correct.

10 COMMISSIONER HENDRIE: So the staff feels all of
11 those have to come to the Commission because an atom might
12 get out and decay in the great outside and I assume that means
13 the staff is unable to provide any meaningful guidance to
14 Met Ed because the staff doesn't know where it comes out.

15 MR. HALLER. I believe that is correct, yes, sir.

16 COMMISSIONER HENDRIE: The staff finds itself caught
17 with the Commission having left it high and dry.

18 I trust we will be able to remedy that forthwith.

19 MR. HALLER: The licensee cleanup approach is
20 believed to be logical.

21 By that I mean the proper steps appear to be
22 identified and so forth, but we caution that there are
23 many unknowns in this process. It is the type of thing
24 that does not lend itself to detailed planning from step one
25 all the way through to the last step.

There are uncertainties at many stages of this

1 process and there are going to be needs for data gathering
2 as one goes through this process to find out what to do
3 at the next step and do you do this, or do you do that.

4 CHAIRMAN AHEARNE: I am sorry, Norm. Let me ask
5 another question on that.

6 There is a separate issue of what is required to be
7 done in this normological process and what decisions have to
8 be made.

9 A separate issue is if a situation were to arise
10 and it looked like an emergency were developing an action
11 would have to be taken to prevent significant hazard. Is
12 there lack of belief on the part of the staff that they
13 would have the authority to take those kind of actions?

14 In other words, time is running out. There isn't
15 time to do much in the way of this elaborate decision of the
16 Team that you describe.

17 Is there a feeling on the part of the staff, even
18 in that case, they would not have the authority?

19 MR. HALLER: I did not sense such a feeling on the
20 parts of the interviews that we conducted. I don't believe
21 we really focused heavily on that aspect, but I certainly
22 have confidence.

23 COMMISSIONER HENDRIE: But you would then be talking
24 about something where you figure you've got 12 minutes and
25 it is going to go and you have to decide to stop it one way
or the other. Anything over a few hours and it can come back

1 up here in principle, so I think you can find yourself in
2 a realm of possible situations that are very small.

3 CHAIRMAN AHEARNE: I just wanted to make sure.

4 MR. DIRCKS: I think that is the key point -- how
5 you define what is an emergency like the idea of preventative
6 maintenance in some of the equipment in there is being
7 neglected.

8 COMMISSIONER BRADFORD: Without getting any
9 expertise and confidence, everything I had understood about
10 the state of that reactor now suggests we get the time
11 before in the chain of events that might lead to any releases.

12 COMMISSIONER HENDRIE: The point I make is it was
13 a zero case.

14 COMMISSIONER BRADFORD: I see.

15 COMMISSIONER HENDRIE: I think, clearly, we are
16 going to have warning of times that allow communication back
17 here.

18 MR. HALLER: The third bullet then again is
19 meant to point out the fact that there are uncertainties and
20 unknowns at every stage of this process and it is the type
21 of thing one needs to do data gathering as one goes along
22 and what to do next.

23 CHAIRMAN AHEARNE: Recognizing as your report
24 points out that much of the delay is really attributable to
25 this lack of clarity on our position, but I still get the
sense in a couple of places that Met Ed still hadn't submitted

1 information to forward, is that accurate?

2 MR. HALLER: I believe that is correct.

3 I think there is an instance where the staff would
4 like to have had information about the system for cleaning
5 up the water inside the containment sooner than they have it.

6 I believe there is also some concerns about the
7 speed with which people are moving to do the solidification
8 of the resins.

9 CHAIRMAN AHEARNE: That, I guess, relates to the
10 point that you had made that not only is the sense that this
11 is not the highest priority in the NRC but clearly, it is not
12 the highest priority in the GPU system.

13 COMMISSIONER BRADFORD: Let me take you back to your
14 first finding for a minute.

15 You say the policy has been interpreted to zero
16 release, yet you say in the same document the releases have
17 been 70-80 period a month right along.

18 MR. HALLER: Right.

19 COMMISSIONER BRADFORD: How can any rational
20 person thinking the policy of zero releases while we are
21 allowing releases of 70 or 80 a month?

22 MR. HALLER: Well, without necessarily discussing
23 how any rational person would feel I simply can point to the
24 example of the permission to open the air lock in order to
25 get access inside the air lock to make some measurements as
an indication that at least there was uncertainty on the

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part of the staff all the way up that required them to send that ultimately to the --

CHAIRMAN AHEARNE: Part of it is, Peter, there is a question as to whether the policy is rational.

COMMISSIONER BRADFORD: That may be.

What was troubling me was the lines saying policy interpreted to zero releases.

MR. HALLER: I think there is also the issue of planned versus unplanned releases.

COMMISSIONER HENDRIE: I think, too, there are a class of releases that occur here -- (a) because they are not planned and simply occur and (b) occur in the course of doing things like taking samples and doing such minimal out of containment maintenance as one can do which are agreed upon and necessary actions, so you have a certain body of necessary maintenance and sampling operations together with a few inevitable small leaks and those constitute the releases which have run on the order of well, what? Is it 70, 60, 70, 30? Hours of criteria that the staff has to make per month, trivial doses I must say for those who are apt to go into panic at the mention of a Curie.

Now, you have a whole series of actions. Can we get in next to the air lock and see what conditions are and get some readings?

Well, no. Wait a minute! Let's worry about that. The first thing you know it is around for a Commission vote

1 and for Heaven's sake, that is what is killing each --

2 COMMISSIONER BRADFORD: Each of those other releases
3 is, for all practical purposes, a planned release; that is
4 anyone undertaking those actions know there will be slight
5 releases associated with them and in some sense entering the
6 air lock is not dissimilar.

7 There is a line between that and venting where you
8 are letting stuff go into the air and the fact of the
9 purpose of what you are doing is to release it.

10 But, I am not sure I see the line between say
11 entering the air lock which entails these other measures.

12 COMMISSIONER HENDRIE: That is a thing you can or
13 cannot do next week. On the question of sampling there is got
14 to be a certain amount of -- minimum amount of sampling to
15 make sure the primary system is still got the right things in
16 it and not the wrong things in it, and so on.

17 COMMISSIONER BRADFORD: The question that is really
18 zero release is --

19 MR. DENTON: Maybe I can help on this issue.

20 I think the report is an excellent characterization
21 of this situation. I think people at the site have
22 done an excellent job in protecting the health and safety over the
23 past seven or eight months. The activity of water to the
24 air has been minimal.

25 Going back to the Summer, I made a commitment to the
State when I testified before one of our committees that we

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wouldn't vent the containment until we thoroughly examine all the alternatives because there were such high anxiety calls. We were in Court over any activity in water, and so forth.

Then the policy statement of the Commission came out and I wanted -- I felt like we had an obligation to the people out there to complete our assessment of alternatives to venting and to really rigorously have that examined before any planned release.

So, one reason I brought this to the Commission's attention on the air lock was sort of a position they would do not harm. I knew there were one or two Curies being released per day from various samplings that had gone on since day One. That means there has been no action in this area, per se. There has been a lot of action. I felt the licensee was somewhat slow in getting us a report. It didn't come until November.

I insisted the staff take a hard look at alternatives to venting; the possibility of accidental releases and I will be getting to the Commission in a few days the staffs' assessment -- the alternatives to venting and the route to be chosen.

I notice the DOE has completed an assessment of alternates and the State itself has in the report contained by the Lieutenant Governor. There is a confluence of views that the alternatives to venting have major drawbacks in

1 terms of the time required to implement any of the practical
2 alternatives to venting and have concluded also that venting can
3 be accomplished well within the Commission's regulations.

4 So, it hasn't been inaction with regard to doing the
5 studies but with regard to venting the air lock, I felt
6 like that would -- is getting close enough to venting that
7 the Commission should be aware of it and I wanted the
8 Commission's concurrence on that action.

9 COMMISSIONER BRADFORD: Let me come back to my
10 original question.

11 Have you been under the assumption you were operating
12 at TMI on zero release in the past 11 months?

13 MR. DENTON: With regard to water, yes. With regard
14 to air, no.

15 We have known since the accident there were the
16 small amounts of krypton being transferred over the secondary
17 path and sampling release.

18 I think staff was fully aware that the plant was
19 releasing active krypton at one or two Curies per day,
20 essentially uncontrollable and the sampling was necessary
21 to assure the understanding of what was happening inside.

22 It was only opening the air lock and the next step
23 entrance to the air lock got close enough to venting that I
24 thought the Commission should be aware of it.

25 CHAIRMAN AHEARNE: Let me at least make perhaps
a comment.

1 The typical plant release, Peter, is about 1,000
2 Curies per month.

3 This plant has been releasing 60, or 70, or 80
4 Curies amonth. A couple of weeks ago there were two releases
5 on the order of 3/10th's.

6 MR. HALLER: Point 3 and 3.

7 CHAIRMAN AHEARNE: And what was the Commission's
8 action? We said the Director of I&E, the senior agency
9 official up there because of the severity of the situation
10 and now it is hard for me to look, as a bystander and say
11 that -- I am saying as a bystander that is what it looked
12 like and I can well understand to many people the Commission's
13 policy was zero release.

14 MR. DENTON: There are people we know from the
15 citizens in the area want to leave the area when there is
16 any planned release. Whatever you tell me about the dose
17 rate, let me know in advance and I will take my family out
18 of the area.

19 There is a lot of local pressure to not have any
20 planned releases and so I think the Commission -- I think this
21 report has been useful. It helps' to focus on the topics.

22 You will have before you very shortly an assessment
23 of all the alternatives and the pros and cons of each.

24 With regard to the air lock we have prepared a
25 press release. The date is the 10th. It has been coordinated
with the State.

1 CHAIRMAN AHEARNE: One of the main things that
2 seems to come through persistently in this report, Norm, I
3 gather is the necessity to not only for us to move ahead,
4 but to try to be clear what we are doing.

5 MR. HALLER: Yes, be clear with the criteria that
6 are now allowed and be clear also in explaining to the local
7 people and officials just what is going on.

8 CHAIRMAN AHEARNE: And not so much announcing this is
9 what is going to happen, but to get more understanding;
10 further information.

11 MR. HALLER: That is correct.

12 COMMISSIONER BRADFORD: I would like --

13 COMMISSIONER GILINSKY: The reason I asked Victor
14 to go up there is not because of the size of these releases,
15 but because the vents connected with these releases made me
16 wonder whether things were going right up there and it seems
17 to me it was useful to have him go up for that reason.

18 I thought we made that clear at the time we sent
19 him up and at the time we had a meeting on the subject.

20 CHAIRMAN AHEARNE: I think it was useful since it
21 led to this review and the review is going to be particularly
22 useful.

23 My point was a bystander watching what was happening
24 and reading the vents as depicted, what came through was small
25 releases, major action, except the small part didn't come
through. It was release -- major action.

1 I didn't find myself surprised at the picture that
2 the Task Force came in with, that the impression was the
3 policy was focused upon sensing no release.

4 MR. DENTON: If I could add a few more words along
5 from that maybe the people from the site would like to
6 comment after the presentation.

7 There has been a no release policy with regard to
8 water. Some of that policy carries over to air.

9 With regard to air, I felt like the activity that
10 would come out through opening the air lock or opening the
11 containment or venting the air lock we did have a special
12 obligation to assess alternatives before we took those actions
13 and that is consistent with the Commission's policy.

14 CHAIRMAN AHEARNE: But the amount you expect to
15 come out of the air lock is?

16 MR. DENTON: Diminimus.

17 CHAIRMAN AHEARNE: What other reason for coming
18 to the Commission would there be other than to implement this
19 perceived policy of holding down to almost no releases?

20 MR. DENTON: To inform the Commission, number one,
21 that it was going on and to characterize the release.

22 That is really why I came to you so you were
23 aware.

24 CHAIRMAN AHEARNE: I don't fault you for coming
25 because I think were I in your position I might have done
26 exactly the same thing. I want the position clarified.

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MR. DIRCKS: I think that points up the whole idea of criteria. These are minimal releases that are coming out, but the people on the site dont have any idea whether they can operate within 85 or 100, or 115.

CHAIRMAN AHEARNE: Nor do the people in surrounding areas.

MR. DIRCKS: Everyone is under the impression the thing is sitting there and if you have to do something --

CHAIRMAN AHEARNE: When I -- I seem to recall when Vic came back, one of the things you were surprised at the policy was not to have any release.

MR. STELLO: I think that is fair.

One of the things I was very surprised at when I explained why I was there to the news media, although I wasn't there to look into the 3/10th's Curie release in terms of any health effects, their questions to me made it clear and several of them, in fact, said we were under the impression there were no releases from this plant. That is clear to me that that is the view that they have.

I also have the feeling that the staff up there when I talked to them had the sensitivity that any release from that plant, that "was somehow controllable" ought not to quite go on; that there is a real perception that on Monday when they had the 3/10th's Curie release when the engineer looked at the charts on Tuesday and it was gee, you know, a lot higher than that, although no safety problem, his reaction

1 was well, what should I do, you know. It is more. I've
2 got this problem that, you know, maybe that is a real, major
3 concern.

4 CHAIRMAN AHEARNE: Yes.

5 MR. STELLO: That is the kind of attitude I perceive
6 there.

7 I guess some site people are here. Maybe they
8 ought to speak to that, but the concept of the zero release I
9 think that attitude is certainly clear in the media, on
10 behalf of the public and there is a real gap missing there
11 which I think hurts us in doing the job in terms of our
12 credibility of making clear what we are doing as well as
13 having the staff up there understand where should their
14 threshold be for construction.

15 MR. HALLER: I stand by the wording of that
16 finding, at any rate.

17 Let me move to the last bullet on this page. We
18 believe there is a need to use the flexibility that has been
19 built into the policy statement of the Commission in order
20 the activities associated with such things as data gathering
21 and necessary maintenance of the plant in a safe and stable
22 condition can proceed and that this flexibility would,
23 of course, lead to criteria for these interim operations prior
24 to completion of the programmatic and environmental impact
25 statement.

The next slide, please.

To continue with the key findings, I have grouped a number of them in the following ways:

First, under some of the major technical problems I have listed there the possibility that failures could lead to items such as greater difficulties in the cleanup exposures, primarily of people on the site; the workers that are working with this plant and also could lead to off-site releases.

Although we did not identify any cause for alarm with respect to the off-site releases, our calculations did not show that they would be a serious threat to the health and safety to the off-site public.

There is at least the possibility that any of these types of activities that would be occurring on-site and even resulting in releases, however small off-site, would result in public concern.

By the way, I mean to include under failures not only equipment failures but also the possibility of human error or human failures which can never be discounted.

In addition, we found that the delays in conducting the clean up activity obviously increases the risk to the workers and finally, of course, there is this whole lack of interim technical criteria that people can use to judge where there is an envelope that releases can take place; that is that is authorized by or one concerned.

Other problems that we found were perceived low

1 priority of the activities having to do with the clean up.

2 The insufficient resources both on the site as well
3 as resources needed to support the preparation of the
4 programmatic environmental impact statement.

5 CHAIRMAN AHEARNE: Your report says they run out
6 of funding in April.

7 MR. HALLER: That is correct.

8 CHAIRMAN AHEARNE: Bill, you have to find funding.

9 MR. DIRCKS: In the covering note I indicated we
10 will have to give them some resources.

11 CHAIRMAN AHEARNE: Yes, I thought your note was
12 focused more upon the people.

13 MR. DIRCKS: The people and the resources.

14 CHAIRMAN AHEARNE: What is it, \$500,000 they need?

15 MR. DIRCKS: Yes. The staff told us that there
16 was a need for approximately one-half million dollars in order
17 to try to meet the schedule that they are now on.

18 CHAIRMAN AHEARNE: That schedule is to get the draft
19 by?

20 MR. DIRCKS: The draft done by the middle of the
21 year and the final done by the end of the year.

22 Now, we have also, though, urged that this schedule
23 be examined to see if it can be accelerated and this is one
24 of the things that the EDO put in his letter that he wants
25 to check to see if the schedule can't be accelerated some-
what.

1 I am asking them in NOR to give me some analysis
2 what their resource needs are under the current schedule
3 and any other impacts that might happen.

4 CHAIRMAN AHEARNE: I think you ought to be trying
5 to find where that \$500,000 ought to come. If necessary,
6 go through reprogramming to do it.

7 COMMISSIONER HENDRIE: Who is doing it?

8 MR. DIRCKS: Right now, at the site?

9 MR. HALLER: You mean who is preparing the EIS?
10 It is being managed by a person in the NOR staff but the
11 primary technical work is being done by a team of persons
12 at Argonne.

13 I believe it is in the order of 50 or so people
14 that are working on this thing.

15 MR. DENTON: We do intend to fully fund whatever
16 it takes to get the job done.

17 We are still looking at some of the final scope
18 of the job and that is why we haven't allocated the full
19 request of the lab.

20 I think their original request was \$2.5 million
21 to prepare the statement. We are funding it incrementally
22 until we read the full scope of the statement.

23 CHAIRMAN AHEARNE: But you will continue funding?

24 MR. DENTON: Yes, sir.

25 COMMISSIONER HENDRIE: It is inconceivable to me
that the laws of the United States require us to sit on our

1 dubbs and fiddle for a year and a half waiting for that
2 containment to leak or the primary system to finally funk out
3 and fail to cool the core or the boron concentration to go.
4 Don't we get reprintedality?

5 There has to be a way to get in there and see that
6 that system is going to run adequately for the balance of
7 the time that is necessary to clean up all the water, and so
8 on.

9 You can't sit around here and calculate environmental
10 impact while we get ready to have a disaster in central
11 Pennsylvania.

12 I appeal to staff, applicant, and God for Christ's
13 sake to tell me how to get out of this idiocy.

14 Are we, in fact, compelled inextricably under the
15 laws of the United States to sit here and wait for trouble?

16 CHAIRMAN AHEARNE: No, we are not. Both we have
17 said and CEQ has pointed out if we see a clear and present
18 danger, then we go ahead and take action.

19 I don't get the sense from what Norm's review has
20 said and I have gone through it, that there is that clear and
21 present danger.

22 COMMISSIONER HENDRIE: This is the 1st of March
23 and we are talking about the end of the year, that a final
24 EIS can be out and people begin to complaint about it and
25 we will have to fight court actions.

It is not today, you know, on the 5th of March. It

1 is going to be damn near a year from now and we are still
2 going to be sitting here starring at that containment.

3 Now many neutron monitors do we still have on that
4 system?

5 MR. HALLER: One.

6 COMMISSIONER HENDRIE: Anybody want to guarantee
7 me it will still be there a year from now?

8 Anybody want to guarantee we will know for sure
9 what the vessel boron concentration is based on the low
10 flows and taking the customary boron sampling outside the
11 building?

12 Anybody going to be able to guarantee me we won't
13 have recriticality from low boron run in the next year?

14 How about breakdown of the system inside?

15 CHAIRMAN AHEARNE: Maybe it will change your
16 look.

17 MR. HANRAHAN: I don't think, Mr. Chairman, you
18 will be ever able to show clear and present danger.

19 Everyone sitting in the room shares Mr. Hendrie's
20 feeling that there is a gut feeling waiting for something
21 to happen.

22 Prudence says you do something about that. We are
23 fiddling with an auxilliary building for a year when the
24 real problem is inside the containment building and it
25 strikes me as ludicrous.

1 CHAIRMAN AHEARNE: Are you saying we shouldn't be
2 working on the Aux building?

3 MR. HANRAHAN: No. We should have that in hand
4 and getting on to the real problem instead of dealing with
5 things like this krypton and so forth and 300th's of a
6 Curie.

7 COMMISSIONER HENDRIE: Having understood it a good
8 bit better, I really feel driven up the wall by it.

9 MR. BICKWIT: Our policy statement commits us to
10 undertake a programmatic impact statement, but it says
11 development of the statement will not preclude prompt
12 Commission action, when needed.

13 It does not refer to clear and present danger; does
14 not refer to emergencies.

15 CHAIRMAN AHEARNE: I think we are all getting
16 very interested in the issue; reinterested; more interested,
17 but perhaps Norm could complete his report and then we can
18 get back to the discussion on that.

19 MR. HALLER: Continuing with the bullet called "other
20 problems" we could not fail to recognize the licensee's
21 financial situation and the possibility that he may go bankrupt
22 and may not be able to complete this task.

23 There are concerns about waste management at the
24 facility. There is a great deal of public anxiety and the
25 NRC and the licensee we found lacked credibility at this
site.

1 Finally, there is the question of the end use of the
2 programmatic and EIS and whether that is clearly defined to the
3 staff.

4 Now, there are other factors that also we thought
5 were quite relevant. One, of course, is the recent report
6 of the Governor's Commission in the State of Pennsylvania.

7 I believe you are familiar with that. Yes -- that
8 is the report.

9 CHAIRMAN AHEARNE: Do they have your report, by the
10 way?

11 MR. HALLER: I have mailed copies of my report to
12 Lt. Governor Scranton's office and Mr. Jurisky (phonetic
13 spelling) who is in the staff in the state government and I
14 did discuss the findings with them also on the pone.

15 MR. DIRCKS: And you did sit down and meet with
16 Mayor Reed?

17 MR. HALLER: We did meet with Mayor Reed personally
18 at the time I was up there.

19 COMMISSIONER GILINSKY: It might be useful to sit
20 down with the State of Pennsylvania officials and go through
21 the report with them, but please go on.

22 MR. HALLER: I might also elaborate a little bit on
23 the State of Pennsylvania's views.

24 I was informed yesterday by Mr. Jurisky that there
25 has been a resolution introduced in the Pennsylvania House
of Representatives. I am told it is Resolution number 185

1 which, according to a draft that I have, and I do not have
2 the final wording, but if this draft properly portrays what was
3 stated in that resolution, it requests the President and the
4 U. S. Congress to urge the NRC to rapidly formulate criteria
5 to be used as guidelines for decontaminating TMI-II.

6 That is just one of several parts of that resolution.

7 CHAIRMAN AHEARNE: Do you know if the Governor
8 intends to put out any kind of a decision based upon this
9 document?

10 MR. HALLER: I do not know. I have spoken with
11 persons in the Lt. Governor's office and I understand he does
12 have the report, but he is presently on a trip and they
13 expect that when he comes back he will decide what to do
14 about the recommendations in the report and make whatever
15 decisions are needed.

16 CHAIRMAN AHEARNE: At least, as I read it and as
17 the report to him, they are recommendations but probably
18 at the moment I would be quite right in saying this is the
19 position of the State of Pennsylvania.

20 MR. HALLER: I think that is correct.

21 The Governor is taking that under advisement. Also,
22 of course, we did have the meeting with CEQ. There is
23 discussion in our report about the upshot of that meeting.
24 Those views we feel are quite relevant and also as Harold
25 Denton mentioned earlier today, there has been a letter from
Mr. Cunningham in the Department of Energy to Mr. Dircks

1 which also bears on the issue of making a prompt decision
2 on the matter of venting and also gives some technical to
3 DOE with regard to this and also makes an offer to assist in
4 the monitoring activities up there should the need arise
5 for that.

6 All right, please move to the next slide.

7 Now, these two slides that follow will be
8 discussion of the key recommendations that we came up with.

9 Again, I caution you that these are my short key word
10 summaries of these recommendations and I would urge that the
11 specific wording be referred to for the more definitive statement
12 of what it is that we said.

13 COMMISSIONER GILINSKY: When you get to the environ-
14 mental statement item, could you make clear what that is
15 holding up?

16 MR. HALLER: Yes, I will certainly try.

17 COMMISSIONER GILINSKY: The third bullet -- in other
18 words, why it is important.

19 I just want to understand precisely what it is
20 holding up.

21 MR. HALLER: The first bullet is really a call for
22 Commission commitment to proceed with this clean up as
23 expeditiously as possible.

24 We feel this commitment then would provide the
25 general umbrella under which adequate priorities can be
provided to the various activities that need to be undertaken;

1 that proper amounts of resources can be applied; that the
2 staff work has the priority to proceed in a timely fashion
3 and, of course, that commitment would also be a commitment
4 on the part of the Commission to make prompt decisions.

5 CHAIRMAN AHEARNE: By "expeditiously" you also put
6 in all the rest of the words that would go with it -- keeping
7 adequate protection of the public health and safety.

8 MR. HALLER: That is correct.

9 COMMISSIONER BRADFORD: That is not in the recommend-
10 ation.

11 CHAIRMAN AHEARNE: Not as fast as possible, as
12 fast as is reasonable.

13 MR. DIRCKS: I don't think we would be sitting
14 here without due regard for public health and safety.

15 COMMISSIONER BRADFORD: What do you say -- "as
16 expeditiously as possible, consistent with ***"?

17 COMMISSIONER GILINSKY: I understand the recommend-
18 ation to be one aimed at safety and I understand you to
19 say the public health and safety.

20 MR. DIRCKS: We are saying doing it expeditiously
21 as possible to protect the public's health and safety.

22 We would have no other motivation sitting over
23 here.

24 COMMISSIONER GILINSKY: I understand you to be
25 saying we will move faster in this area.

MR. HALLER: Yes. So there is no misunderstanding

1 we certainly are not advocating moving at the expense of
2 public health and safety, or without regard to public health
3 and safety.

4 MR. DIRCKS: Even more importantly we are saying
5 move expeditiously because of our feelings for public health
6 and safety.

7 COMMISSIONER GILINSKY: Who is the most senior official
8 in the agency who is concerned full time with this clean up
9 operation?

10 I realize the chain goes up to the office directors,
11 but at what level is there someone who is in charge of this,
12 or is there someone in charge?

13 MR. DENTON: I think full time would be John
14 Collins. He is the full time man at the site.

15 COMMISSIONER GILINSKY: Is the programmatic state-
16 ment under him?

17 MR. DENTON: No. That is through our Environmental
18 Division, Dan Muller.

19 COMMISSIONER GILINSKY: I wonder if there shouldn't
20 be a program director here for the clean up at Three Mile
21 Island?

22 CHAIRMAN AHEARNE: Will suggested he was going to be
23 changing the staffing.

24 What did you have in mind?

25 MR. DENTON: We have been talking about just that
sort of thing as the character of the job changes.

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CHAIRMAN AHEARNE: Let me ask EDO that.

MR. DIRCKS: I was going to get Vic and Harold together to find out what their resource requirements are and agree on some sort of organizational aspect entwined with the idea of --

CHAIRMAN AHEARNE: Why shouldn't --

MR. DIRCKS: I can't see any reason for not having it, but I didn't want -- I did want to sit down with Vic and Harold and others to see if there are any other majors.

MR. HANRAHAN: We ought to go beyond that through a whole dedicated staff.

MR. DENTON: There is a project manager for the preparation of the EIS statement who is full time.

COMMISSIONER GILINSKY: I understand that.

MR. DIRCKS: We are tying the impact statement and the activities of the State.

COMMISSIONER GILINSKY: There ought to be someone who supervises all the activities.

MR. HALLER: I would like to comment, though, for a minute.

I acknowledge that John Collins is the full time person on site, but we found that he had a number of other duties besides simply keeping track of the operations that are going on. That man is very busy. He has to sit in that office. He has to answer phone calls a good part of the day. He has to go out at night, attend public meetings, participate

1 in various activities of that type.

2 I, frankly, don't know how he gets all the work
3 done that he gets done and I think he feels he is going
4 to need to do things he can't do now.

5 COMMISSIONER GILINSKY: You are saying he has to be
6 augmented?

7 MR. HALLER: He needs to be augmented, yes.

8 And, while I am going to be skipping here, you
9 brought up the issue of the environmental assessments. I
10 think at least on the part of our group the concern that we
11 have is that the site people, in fact, are burdened by
12 portions of the preparation of the environmental assessments
13 and we recommend that be moved back here to Bethesda so the
14 people up there don't have to go home at night along with the
15 other worries they have and work on parts of the environmental
16 assessments, and so forth.

17 Our recommendation is that be pulled back and be
18 done solely in Bethesda and consult, if you wish, with the
19 people on site, but don't charge them with writing actually
20 parts of this.

21 CHAIRMAN AHEARNE: Any problem with that?

22 MR. VOLLMER: We have had the intention of doing
23 that for some time, but in the case of environmental
24 assessment for krypton, the staff back in Bethesda was so
25 strapped that the technical capability really existed at the
site, so we had to go that way. But, for some time we have

1 been trying to pull back to Bethesda those things we could pull
2 back and we think the recommendation makes a lot of sense.

3 MR. HALLER: And while I am on that, of course, we need
4 permanent staff up there. We can't afford to have part time
5 people in for a week or in for a few days and then back home
6 and somebody else come up.

7 So, to make the staff that John Collins is supposed
8 to have permanent, we further recommend the staff be increased.

9 CHAIRMAN AHEARNE: That is what Bill also endorses.

10 MR. VOLLMER: We also have tried to get a permanent
11 staff at the site and I realize we realize it needs augmentation
12 but we have tried within NRR to find people who would be
13 willing to make that their duty station, either on a long-term
14 basis -- assignment for a number of years, or even six
15 months assignment and every prospective candidate that
16 has walked through my office has been cold-hearted for that.

17 At this point in time, I only have one person to
18 put on TMI by -- to be on the support staff by change of 181,
19 you know, some months ago. Only one person of the 500 or 600 in
20 NRR has expressed interest in doing that.

21 While it sounds like a wonderful idea and I think it
22 should be done, I really do, it is going to be really difficult
23 to get people who will be willing to go up there and spend
24 a long time to do it.

25 CHAIRMAN AHEARNE: Of course. But, I think in
some sense if we give it the higher priority and it

1 becomes a more significant element of the overall work
2 program that you might find some attitude changes.

3 MR. VOLLMER: I think that might help and again
4 by directive from management, that that is now their job will
5 also.

6 MR. DIRCKS: With a clear definition of their
7 authorities and responsibilities.

8 CHAIRMAN AHEARNE: I think we also as a Commission
9 can clarify and and provide some of the criteria that you
10 are talking about and working in that environment would
11 be more satisfying.

12 As it is now, I think it is a continual frustration.

13 MR. HALLER: Let me hit the two middle bullets. I
14 don't believe they were covered.

15 The second one we talked about already, the need for
16 interim criteria to permit releases, at least those
17 associated with data gathering and maintenance activities.

18 We would envision that these criteria as well
19 as the appropriate assessments would be submitted to the
20 Commission for approval.

21 Now, the meaning of the words "one time assessment"
22 is that we feel that once the assessment is done, then
23 releases and data gathering activities and maintenance
24 activities can proceed within the envelope of those
25 criteria. There is no need to come back for another assess-
ment each time something happens. You have done it once and

1 that ought to cover it.

2 MR. DIRCKS: It eliminates doubts people have -- are
3 we within the understandable criteria -- are we without. This
4 "A" release we can prevent. It is important to give people
5 working criteria.

6 MR. DENTON: The paper that is coming up on the
7 krypton alternative will provide a framework for the
8 commission where you are going to wait for the statement. That
9 will be a place where you decide whether you wait for the
10 statement or not.

11 The importance of this recommendation is whether
12 you wait for the statement or not. Obviously, if a decision
13 is made that venting is necessary because all of the alterna-
14 tives take years to accomplish, then you don't have to decide
15 each milli-Curie of krypton.

16 COMMISSIONER HENDRIE: When is the venting paper
17 coming up?

18 MR. DENTON: Let me ask Dick.

19 MR. VOLLMER: Early next week.

20 MR. HALLER: Okay, we would also, of course,
21 recommend that once the criteria are established that the
22 licensee be required to revise his plans and schedules
23 accordingly to come forth with the activities that would be
24 done within that envelope.

25 Now, Commissioner Gilinsky you asked me to
specifically address this third bullet on the programmatic

1 and environmental impact statement and I think you asked
2 what is holding it up.

3 COMMISSIONER GILINSKY: What is that holding up.

4 MR. HALLER: What is that holding up?

5 COMMISSIONER GILINSKY: In other words, what
6 activities can we do?

7 MR. HALLER: Essentially right now you can't do
8 anything until that statement is completed.

9 CHAIRMAN AHEARNE: Would you expand a little bit?
10 You say you can't do anything.

11 MR. HALLER: Let me go back. The policy prohibits
12 venting or treatment -- the building atmosphere. It
13 prohibits the discharge of water decontaminated by epicore II
14 and prohibits treatment and disposal of water in the contain-
15 ment until such time as the programmatic and environmental impact
16 statement is completed and decisions are made and approved,
17 and so forth.

18 COMMISSIONER GILINSKY: What is the schedule? June
19 was the draft.

20 MR. HALLER: June is the draft and the final is
21 now schedule for December.

22 CHAIRMAN AHEARNE: What was the original schedule?

23 MR. AHEARNE: I don't know there was an original
24 schedule. As far as I know that is the schedule.

25 COMMISSIONER HENDRIE: Your report notes the Task
Force detected slippage possible. What is the view now?

1 MR. HALLER: There is, of course, the funding
2 problem, and --

3 COMMISSIONER HENDRIE: Assuming that is off?

4 MR. HALLER: Assuming the funding problem were
5 solved, I guess I have to speak personally on this and I am
6 not doing so in any attempt to undercut the work of the staff
7 in this, but I still, even with the funding approved, did not
8 come away with great confidence that this thing would be
9 finished in December, but that is again my personal opinion.
10 It is noted based upon any detailed study of what went on
11 and I know the staff is working diligently trying to maintain
12 those schedules.

13 MR. DENTON: We have typically more success in
14 meeting the date for the draft statement than we have the
15 final.

16 The final, of course, depends on the comments you get
17 and how it is received.

18 MR. VOLLMER: Well, I feel we have an extremely
19 tight schedule for the draft. There is a lot of work to
20 do.

21 We have these 50 people or so first in the national
22 way of developing, in effect, the environmental report which
23 is the report on how the cleanup process will get done and
24 then another group has to actually develop the environmental
25 impact statement on that cleanup process.

The environmental report part of it is due to be

1 finished the end of March and then we have about two months
2 then after that to complete the environmental impact state-
3 ment.

4 Parts of the EIS are proceeding at the present
5 time, but I view that as extremely tight. We set the
6 schedule from June to about December for the final statement,
7 realizing the large amount of public interest.

8 We were sure that we could not get it by with
9 anywhere like a 40 or 45 day comment period. Our experience
10 has been on controversial issues, the comments drag in
11 after a fairly extensive period of time so we figured
12 on something like three months for comments and then we
13 figured there would still be a fair amount of time to
14 respond to those comments.

15 That was trying to be fairly realistic in what our
16 experience had been. So, if we are hardnosed about it
17 and set a firm comment period of 30 or 45 days and
18 don't accept comments thereafter, we can probably do
19 better, but there are certain dangers in that sort of
20 activity.

21 COMMISSIONER GILINSKY: Can I ask what would be
22 happening if there were no requirement for an EIS?

23 COMMISSIONER HENDRIE: We would be inside the
24 containment long since. It would have been vented and
25 people would be in there to be able to maintain that system
and make sure essential instruments work.

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COMMISSIONER GILINSKY: What I am asking is, is our staff clear on what it wants to do and wants to authorize and we are merely turning the procedural crank here, or is this document one that one is looking to for some assistance in figuring out what to do?

MR. DIRCKS: I think it is two steps.

COMMISSIONER GILINSKY: You are saying the answer is no to the latter?

MR. DIRCKS: You know, you want to get in there and look at that essential equipment and you know, you wouldn't want to send people in there to look at the essential equipment in a krypton environment.

Yes, the first thing we would like to get rid of that gas so people --

COMMISSIONER GILINSKY: Do you regard this document as irrelevant to the cleanup operation insofar as you need to comply with the law?

MR. DIRCKS: It is the water question.

MR. DENTON: Some of the things in the document we are doing anyway. We were committed to looking at alternatives to venting before the statement was mandated by the Commission, for example. We wanted to look at the alternatives.

The statement will examine a number of alternatives, all the way through, how the core is inspected, and how you package the fuel and how waste might be shifted.

COMMISSIONER HENDRIE: Goes all the waste

1 disposal.

2 COMMISSIONER GILINSKY: We got ourselves into an
3 overly elaborate statement.

4 It seems to me we have to consider alternatives.

5 COMMISSIONER HENDRIE: Even if you didn't have any
6 requirement, sensible planners say what will happen if we do it
7 this way.

8 COMMISSIONER GILINSKY: What we do in the report is
9 to say we ought to do precisely that, not some elaborate
10 report that is going to employ people in the national
11 laboratories.

12 COMMISSIONER HENDRIE: I think employing people
13 in national laboratories is good, but in this case --

14 COMMISSIONER GILINSKY: Do it after the cleanup?

15 COMMISSIONER HENDRIE: Right. But I think the
16 courts have established --

17 COMMISSIONER BRADFORD: That EPA laid down after
18 saying there should be EIS's the courts have gone and
19 pointed out enormous sets of detail.

20 COMMISSIONER GILINSKY: The agency did itself, but
21 it seems to me that this thing has got to be infused with
22 common sense.

23 There ought to be, it seems to me, I think a
24 statement that deals with alternatives, but it may be that we
25 have gotten ourselves into a very much an elaborate state-
ment and certainly, the price tag seems to suggest that.

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COMMISSIONER HENDRIE: Two and one-half million dollars and 50 man years or something like that sound to me like more impact than we can digest.

MR. VOLLMER: At the time we decided we were required to do the EIS, the applicant did not have the technical information we needed in order to develop a statement.

So, what we are, in effect, doing is first, we are developing an environmental report which is a report on how the cleanup process might proceed and then we are going to develop a statement on top of that.

Now, we could have waited for the applicant to do that and that would have taken a lot of time. So, we are picking up the pieces to some degree for the applicant.

CHAIRMAN AHEARNE: And I remind the Commissioners that all of that information was presented in a report that came up to the Commission several months ago in which we were responding to some Congressional questions.

We all went through it and endorsed it in the process of transmitting it to the Congress.

MR. DENTON: The present controlling factor I see in the operation, the important controlling factor is access to the containment. That is what the licensee had hoped to do in December. If he didn't meet that schedule he would do it in January; roughly in that time frame in order to look at it.

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2 If he gains access to the containment, he can
3 largely get back on a part of the schedule.

4 Now, at the same time the need for the statement
5 prohibits cleanup of the water, but he is not actually -- I
6 think once you get access to the containment that would
7 lead then to some decisions that would permit finalization
8 of a program to clean up the water and wash up the walls.

9 COMMISSIONER HENDRIE: And probably you get some
10 detailed information that would be very useful with regard to
11 the cleanup.

12 I must say I have some confidence that the contain-
13 ment is going to continue to hold onto what we have in there
14 now I suppose three quarters of a million gallons of water.

15 I have very high confidence on that over an extended
16 period, but I am beginning to get, as you can detect,
17 enormously uneasy about our ability to get to the containment
18 to do such things as essential maintenance and replacement
19 and we are sitting here looking forward ten months to a year
20 before there is prospect of taking action.

21 MR. EILPERIN: The Commission's policy statement
22 does not await for the completion of the programmatic
23 statement to get into the unit. As long as the Commission
24 makes the recommendation that the public health and safety
25 require the completion of the programmatic.

26 CHAIRMAN AHEARNE: I would encourage my fellow

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Commissioners to address the criteria that are required
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for the venting or nonventing of the handling of that gas
in the containment.

MR. BICKWIT: That, I am sure, is being addressed
in the environmental assessment.

CHAIRMAN AHEARNE: But it has to be addressed sooner
than that.

MR. BICKWIT: Because it is going to be up in a
couple of days. Maybe it should --

COMMISSIONER HENDRIE: The thrust of John's
proposition was to get out and have some discussions with
people in the area, the state authority, people outside
the agency with regard to appropriate release criteria in the
post accident phase.

A question, for instance is appendice "i", an
appropriate basis to judge release is below a level of release
below which you would say that is perfectly all right, don't
you know and anything within that is just normal work of the
clean up process required -- requiring further consideration
and I discover you are right, Vik, John. I have the same
trouble with Peter. He keeps sending me old memoranda and
if you had gotten it at the time we wouldn't have the
problem.

He said my comments as well which I think is
really--Anyway, I agree. I should have gone along with that
and I wonder if there is some -- staff is about to come to us

1 with a paper on venting.

2 Is this the exercise that John wanted to carry
3 out?

4 CHAIRMAN AHEARNE: My first concern is that he
5 finishes his report. But, as far as this one item I think
6 it is consistent with Norm's report. I believe we have
7 got to begin to involve the people in the area, the
8 Governor's office, a couple of the other agencies and
9 address directly that specific issue -- what are the criteria
10 to be used for the containment of gas and then take the
11 appropriate next steps and I think it has to be done
12 immediately and I guess I am almost at the stage of
13 recommending we do it.

14 But, go ahead.

15 MR. BICKWIT: We are committed to do it now;
16 committed after we get an assessment to have a public
17 meeting on that assessment and it would be in the course
18 of that meeting that this question would have to be
19 entered.

20 CHAIRMAN AHEARNE: Not that it would, but I want to
21 hear the question.

22 COMMISSIONER HENDRIE: In three weeks or a month.

23 MR. HALLER: On this slide we continue with other
24 recommendations.

25 The first bullet, we urge the staff continue to
assess the risks up there, particularly we feel it would be

1 prudent to do some more evaluations of the potential for
2 recriticality to assure that that just can't happen.

3 CHAIRMAN AHEARNE: As I read the risk assessment,
4 appendix, one of the points I gather you made that here is
5 a quick look but we need a more detailed look.

6 MR. VERNARO: We think it is important that we
7 look at that.

8 MR. HALLER: The next bullet is that the staff take
9 positive actions to insure effective communication with
10 the citizens, State, and local officials regarding the
11 cleanup, regarding associated planned or unusual events and
12 regarding the programmatic and environmental impact state-
13 ment.

14 CHAIRMAN AHEARNE: In these positive actions, does
15 that also track with your previous bullet, previous
16 recommendation of a full time spokesman?

17 MR. HALLER: They are connected, and I want to state
18 here that this morning, Mr. Dircks attended a meeting with
19 members of the White House staff, with DOE, with the EPA
20 and there was some discussion about this general topic --
21 the need to fix up the credibility up there and there is
22 also -- there was discussion about a stronger role for
23 the EPA in this activity.

24 MR. DIRCKS: They want to get the EPA more
25 fully involved in the discussions of releases and effects
26 of releases and explaining some of these things to the

1 public and working very closely with any citizens groups
2 and State groups that are involved.

3 So, I think this tracks very much with your
4 suggestion.

5 MR. HALLER: In fact, I think there is a meeting
6 next Tuesday -- is it in Middletown? I believe it is up
7 there.

8 MR. DIRCKS: Of the effective federal agencies
9 and this will be another topic to get into on Tuesday, yes.

10 MR. HALLER: Okay, continuing on with some of
11 the other recommendations we believe it is essential to
12 assure there is adequate review for the long-term waste
13 impact; that better defined end use of the EIS so we can
14 make sure the statement that is produced does fulfill the
15 intended use.

16 This goes back again on Commissioner Gilinsky's
17 remarks and we urge that the Commission begin to prepare in
18 conjunction with other agencies a contingency plan in
19 case of financial failure of the licensee.

20 Throughout our recommendations, we urge --

21 CHAIRMAN AHEARNE: Don't slide so quickly by that.

22 MR. HALLER: All right.

23 CHAIRMAN AHEARNE: Your point in your report indicated
24 that -- let's see if I have the concern correct -- that there
25 isn't as far as you could find, anyone addressing what
happens if Met Ed goes bankrupt.

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MR. HALLER: That is correct.

CHAIRMAN AHEARNE: And it is not so much an assessment that here is a real possibility as it is a possibility that someone ought to be addressing.

MR. HALLER: That is correct.

We did not do a detailed or even a cursory analysis of the financial situation of Met Ed. However, I think it is common knowledge that there are problems with the financing up there. They are embarking and participating now in a very expensive cleanup activity.

We are talking, you know, over several tenths of a billion dollars on this activity and that is going to be expensive and I think this is a possibility that might occur and I believe it is necessary that we, at least, make some plans against that contingency.

On the last particular mark, we, throughout our recommendations, urge that the EDO establish and enforce various plans, schedules, priorities, and resource allocations throughout and I am sure that --

COMMISSIONER GILINSKY: For that work I think you need some one person in charge.

MR. HALLER: Yes.

MR. DIRCKS: I think that is what we intend to talk about.

What I wanted to do was see if the Commission went

1 along with the general set of recommendations that we had.

2 I wanted to take action right away to get some things
3 moving. I think I said I intended to do so, but I would like
4 to see how the Commission comes out with a general thrust
5 and then we have certain things we want to start doing.

6 We want to look at the resource level; the impact
7 statement.

8 CHAIRMAN AHEARNE: When do you expect to be able
9 to work your way through all of that?

10 MR. DIRCKS: Well, first of all the interim
11 criteria and the necessary environmental assessment, much
12 of that is discussed in Harold's paper, but I would like to
13 have something done in that area by March 19 and I would
14 like to have the Commission's decision paper down here by
15 March 21.

16 The second area I want some idea of the resource needs
17 for the programmatic and environmental impact statement on its
18 current schedule and the resource need if we can accelerate
19 that schedule and I would like that analysis somewhere
20 around March 14.

21 I would like to talk about the increase in
22 permanent staffing at the Middletown Office and the on-site
23 support group; some transfer of assignments on the environ-
24 mental assessments and the ESI.

25 I would like some discussion of the organizational
approach.

1 CHAIRMAN AHEARNE: I mean changing the structure
2 of the Middletown office, you think you can do that?

3 MR. DIRCKS: All right, I will do that.

4 COMMISSIONER HENDRIE: Please do it as appropriate.

5 MR. DIRCKS: It is done.

6 Now, the krypton papers venting is coming down
7 to the Commission by, I think, March 7. Maybe next week
8 I heard this morning.

9 COMMISSIONER HENDRIE: You suggested it may have some
10 criteria in it for releases in this period, but then
11 talked about further paper on criteria for the first of
12 March.

13 MR. DIRCKS: This is the criteria for what is the
14 interim; the maintenance and observation type.

15 What can we do?

16 Can we make it clear where the staff has
17 certain authority to do things without referral back to
18 Washington, or to the Commission?

19 CHAIRMAN AHEARNE: Yes.

20 MR. DIRCKS: It is that type of thing and we want
21 to support that so we are clean on that point. We are
22 talking about March 21 on that.

23 CHAIRMAN AHEARNE: You are hoping to get that?

24 MR. DIRCKS: Yes. As I mentioned, the krypton
25 paper from NOR is due down here the beginning part of
next week.

1 I would like research to complete any necessary
2 technical studies they have on this subject of criticality and
3 any other questions, say by the beginning of April.

4 CHAIRMAN AHEARNE: I don't know what they are going
5 to do about it. The handy thing is to get in and make sure
6 you keep a couple of operable neutron monitors taken away.
7 That will tell you.

8 Furthermore, if you can get in, why you can do other
9 things that improve the reliability and operation of the
10 boron sampling instruments that are taking a flow path
11 outside.

12 MR. DIRCKS: Well, --

13 CHAIRMAN AHEARNE: The whole key is to be able to
14 get at least a limited access for these maintenance purposes
15 to the primary system and then I think there, in fact, is --
16 then, if it takes more time to settle down to see how best
17 to treat the water and handle those wastes, then I think
18 that is an acceptable time frame. But, it is going on a
19 full year since anybody has been in there and looked at
20 that stuff and we are talking about another year maybe
21 and that won't wash.

22 MR. DIRCKS: Well, I think one of the main things
23 I think the report has done is to restimulate our interest.

24 CHAIRMAN AHEARNE: Well, I certainly agree with
25 all the points you have made in your cover memorandum, Bill,
the things you are about to get done.

1 I also want to start the discussions with the
2 federal agencies and the State of Pennsylvania and the people.

3 I think we really do have to pick up the recommenda-
4 tions here in getting more understanding out of the public
5 and I don't in saying that in any way fault what John
6 Collins has been doing up there. As Norm has said, they are
7 stretched too thin.

8 MR. DIRCKS: It is a resource question.

9 CHAIRMAN AHEARNE: And we have to have someone whose
10 full time job is to try to keep the public and everybody
11 abreast of what is happening.

12 We have a number of other concerns expressed
13 through letters, for example, on one of the Congressmen
14 here pointed out the difficulty of just getting consistent
15 or constant updated information.

16 It is just that we are so resource limited up
17 there.

18 MR. DIRCKS: I think the point that Norm discussed
19 with the Mayor --

20 CHAIRMAN AHEARNE: Mr. Fouchard (phonetic spelling)
21 has indicated a great deal --

22 MR. FOUCHARD: The conversation with the Mayor
23 indicated a need for more day-to-day activity with the
24 citizens group.

25 COMMISSIONER BRADFORD: Did that reflect the local
groups there to have access to somebody independent of NRC so

1 they can cross check with what they are being told by the
2 NRC?

3 MR. FOUCHARD: I think it reflects a combination
4 of the two.

5 We naturally would like to have more support to
6 verify information that is coming out, our sources. That
7 is why the suggestion was to have EPA up there and there
8 is also suggestion to get more funding for more State
9 institutions to get involved in this matter.

10 COMMISSIONER GILINSKY: Would the transcript of this
11 meeting be available up in Middletown just as a matter of
12 course? I think it should be.

13 I think any meeting we have of this sort ought
14 to be -- the transcript of the Commission's meeting should be
15 available and, of course, to the Pennsylvania authorities.

16 MR. COLLINS: Can I address the question of
17 credibility?

18 Since I have been up there since the 30th of March,
19 I think sometimes we are listening to a very small corps
20 of people making statements about NRC's credibility.

21 There is an awful lot of people in that area who
22 believe we are doing a good job. We are telling them the
23 truth.

24 There are a number of people who are concerned because
25 they are not notified on the telephone every time an alarm

1 rings down in the plant so they tell their neighbor that and
2 the first thing you know the newspapers reach it and our
3 credibility appears to go down. It really doesn't go down.

4 I have gone to a great many public meetings and
5 Dick has, too. There are a great many people who have a
6 lot of respect for NRC.

7 The whole area isn't against us.

8 CHAIRMAN AHEARNE: I wasn't trying to imply that.
9 Do you disagree that we ought to get out with information
10 on what is happening?

11 MR. COLLINS: And we have attempted to do that
12 by periodic briefings with the State, with Met Ed, and
13 ourselves.

14 In fact, we have one scheduled for March 20 in
15 Lancaster at which time Met Ed briefs those activities
16 that are going to occur.

17 It gives an opportunity for the staff to discuss
18 their concerns and the State to discuss their concerns.
19 That has gone a long way.

20 I personally meet with groups at night, but there
21 is always going to be somebody who feels he is not getting
22 enough so he can over do it, too, and I think we have to
23 caution ourselves.

24 CHAIRMAN AHEARNE: Joe?

25 JOE (?): Yes, sir. Let me concur in what

1 John said.

2 For example, I don't recall whether it was the
3 first or second release, but I had a call from the Governor's
4 press secretary urging us to get something out promptly
5 saying that the people up here believe you.

6 Secondly, John is stretched too think up there.
7 He needs some more support and more technical support. I
8 don't know whether the full time spokesman is a technical
9 person. That is not the issue right now, but I do believe that
10 we do need to do more.

11 For example, John at 3:30 this afternoon is going
12 to drive up in the rain and hold a press briefing on opening
13 air lock.

14 We have to do things more on a fixed schedule and
15 provide more daily information to people up there.

16 CHAIRMAN AHEARNE: I want to say this is a very
17 fine study.

18 MR. SEIFERT: I would like to make one comment.
19 Having been a member of the group while this report does
20 come out fairly strong, there are some members of the
21 group, including myself, that some of the statements should
22 have been even stronger. We do have concerns that while
23 we were not able to identify specifically those conditions
24 that might lead to undesirable events, that there is
25 degredation taking place continually.

1 There is a significant amount of piping, for
2 example, that is under water connected to the primary
3 system that is in an environment for which it wasn't
4 really designed and while it may last for another two
5 years, it may begin to fail fairly soon. We don't know.
6 We can't put numbers to those things.

7 The same thing is true of valve packing, seals
8 and things of that nature. I have a real concern that one
9 of these days we are going to wake up and find significant
10 leakage from the containment in the auxiliary building, and
11 if that should happen it is not the end of the world as far
12 as the general public is concerned, but it certainly is going
13 to make clean up of the facility extremely more difficult.

14 CHAIRMAN AHEARNE: Thank you, Karl.

15 I think that point came across very strongly today
16 and it is good to emphasize it.

17 MR. SEIFERT: I wanted somebody besides Mr.
18 Hendrie to emphasize it.

19 COMMISSIONER HENDRIE: The news just travels
20 slowly.

21 CHAIRMAN AHEARNE: I think it is like the Senator
22 and Governor.

23 I did want to say I thought it was a good study
24 and it is getting us back on the right track and it shows that
25 quick studies are often better than long, drawn out ones.

1 COMMISSIONER HENDRIE: Could we apply that
2 principle to EIS statements, you know, put a two week limit.
3 Anything you can't think of in two weeks, never mind -- or
4 30 days?

5 COMMISSIONER BRADFORD: I guess I wouldn't want to
6 leave the subject with the notion that somehow the environ-
7 mental impact statement process was to blame for everything
8 that had gone wrong post accident.

9 I think Steve made the point earlier that our
10 policy statement did allow and still does allow us flexibility
11 to deal with events coming up as we see a need to do it.

12 As to the extent there is any perception that we
13 are not prepared to do that, or giving us a chance to
14 correct that, but I don't take the situation in Three Mile
15 Island now as being a situation that the decision to prepare
16 an EIS was a mistake, or that it ought not to continue.

17 COMMISSIONER GILINSKY: That is not what I was
18 saying.

19 MR. DIRCKS: The impact statement is a very
20 valuable tool because I was there at the beginning of the whole
21 thing back in the early 70's.

22 CHAIRMAN AHEARNE: All right, you can learn.

23 MR. DIRCKS: But the point is the impact statement,
24 if it serves as a document to help you plan action and
25 carry out actions it is very important.

1 If it is a document that serves only as a proforma
2 type of document to explain to the public all the great
3 things you are doing, it doesn't serve a purpose. It has to
4 serve a working purpose. That is what we say in here -- let's
5 use the impact statement as an integral part.

6 COMMISSIONER HENDRIE: But, in order to do that you
7 have to be able to do an impact statement on the kind of
8 basis Dick was outlining as part of the normal and reasonable
9 planning for an operation in which you try to decide which
10 of a number of alternatives at each stage you do and then you
11 write down a summary of those considerations and say we
12 looked at this and it has these problems. We looked at the
13 other things and it has these problems, but we don't seem
14 to be able to do that ever since 1972.

15 Every time you say Environmental Impact Statement
16 on Atomic Energy, you get \$2.5 million worth of work after
17 two or three years and you know, four or five volumes for God's
18 sake.

19 I have been swearing and sputtering.

20 CHAIRMAN AHEARNE: It is a whole separate study
21 and that is because it was originally turned over to the
22 national laboratories.

23 COMMISSIONER HENDRIE: I would comment in addition in
24 no way am I critical of the staff; that I am charmed in a way
25 by the prospect that here, for the first time, we finally

1 are beginning to accomplish a really total regulatory
2 regime in which the staff is, with one hand, writing the
3 application and with the other hand, going to review it and see,
4 by God, whether it passes.

5 It sets a model for the future which really encourages
6 me. I have had all kinds of trouble with applicants in
7 my career and I now see a way to get around that.

8 COMMISSIONER BRADFORD: I have one other point.

9 Vic, sometime ago in a memorandum to me you noted
10 while in health physics situations it was improving, it was
11 still not satisfactory and you specifically said before
12 any major radiological recovery steps were undertaken you
13 would have to be satisfied that the health physics program
14 is in order.

15 Is there any change in that situation or at least
16 can you include your up to date assessment in whatever comes up
17 regarding the venting of the krypton?

18 MR. STELLO: The most up to date assessment would be
19 from John, but let me add what I have learned is that there
20 are improvements being made and continue to be made.

21 It is a difficult area and you are at the state
22 of the art in health physics and before you do vent that will
23 be looked at. There can be no question.

24 I might ask John to give you the latest steps.

25 MR. COLLINS: Shortly after the special panel which

1 reviewed the health physics practices submitted their
2 report to Harold Denton, that report was submitted back
3 to the licensee with a request that on a quarterly basis he
4 provide an update of where he is going and meet those
5 recommendations.

6 We have just received his first quarterly report.
7 The staff is evaluating that and that report, the results
8 of that will be coming out.

9 With regard to the on site health physics program,
10 Vic is right. There has been a tremendous amount of growth in
11 the health physics program since the time of that special
12 panel and hired additional people and they are continuing
13 to hire additional people with expertise that is required
14 in this field.

15 We are not in a position at this time to say
16 that they are there and everything is Okay to proceed with the
17 long-term recovery program.

18 That is a continuing part of our evaluation. I
19 have your memorandum. We respond in that way to you and when
20 we believe we are at a point that we can sit back with
21 some comfort and say they now have a total program -- fine.
22 We are not there yet.

23 Certainly, I don't want to leave you with that.

24 MR. STELLO: There are a few things that have
25 not been mentioned.

1 CHAIRMAN AHEARNE: Use the microphone. There are
2 people in the back.

3 MR. STELLO: Okay.

4 On preparing the EIS statement, I perceived a
5 real need to pay careful attention to recognizing there are
6 only so many people to work on a problem.

7 Let's take the venting of the containment. There
8 was a study done as to what the impact might be. I think
9 we had earlier worked and said you don't need to spend more
10 than \$1,000 to improve one man's recommendation.

11 I suspect all the alternatives to venting that have
12 been done have far exceeded \$1,000 by several orders of
13 magnitude and the point that bothers me is that is tying
14 up some very important people who could be working on the
15 systems and the processes needed to get on with it.

16 If there is any way to make sure that the expenditure
17 of the resources, both on behalf of us and the licensee is
18 done very deliberately so you don't have any more than you
19 really have to have.

20 The second point and one that didn't come up is
21 the addition of requirements and the one that maybe we
22 ought to take another look at is the solidification of the
23 waste after the epicore system was designed, produce the
24 waste that it does produce. We have now asked them to go
25 back and build a new system so that they can solidify the
waste which have obvious impacts both in terms of exposure

to people on site, and then on the same critical issue,
resources.

Those resources apply to designing and building
and fabricating and installing another system to handle
those wastes twice is another area that I would encourage that
we need to take another look at.

I say this now recognizing that the EDO feels
rather strongly on the subject. Maybe he has a conflict of
interest on the subject.

That is another area that ought to be looked at.

CHAIRMAN AHEARNE: Well, Vic, the issue was
brought up, discussed at length in front of the Commission
and the Commission did give that direction.

There is a proposal to review.

MR. STELLO: I recognize that.

I was wondering if the impact of this report
generates a climate for reconsideration.

CHAIRMAN AHEARNE: Having been on the other side
of the issue, I will have to talk to the fellow Commissioners
to see.

COMMISSIONER HENDRIE: If you voted my way, then we
wouldn't have this problem.

MR. DIRCKS: I think if there is a problem we are
concerned about the lack of speed they are moving on the
solidification.

1 CHAIRMAN AHEARNE: Any other?

2 MR. BICKWIT: Just one thing.

3 I do think there is a lot of flexibility in the
4 question.

5 I do think CEQ's recent regulations are designed
6 to take advantage of that and I just think that whenever
7 this Commission is of the view that the needs of public
8 health and safety conflict with EPA, that is a good time to
9 test the flexibility of NEPA.

10 COMMISSIONER HENDRIE: But, that flexibility requires
11 us to rise up and declare an emergency.

12 CHAIRMAN AHEARNE: No, it doesn't.

13 Vic has pointed out several times probably we have
14 worked ourselves into a number of these. It is not driven
15 by that, the court decisions.

16 Norm, thank you, very much and all the people who
17 have worked on it.

18 I thank all of the staff members plus Dean
19 Palladino who certainly deserves our thanks. It is an
20 excellent piece of work. It certainly has refocused our
21 attention and I think, I hope a lot of good will come from
22 it.

23 I would like to say that whoever wrote it, if it was
24 you, or whoever wrote it ought to write more of our papers.
25 It is very clear and I also would like to thank Commissioner

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Gilinsky because really, this was at his instigation.

The Commission supported it, but it was a result of what he saw as a real problem; good insight and is going to lead to us being a lot more responsible.

MR. HALLER: Thank you, very much.

CHAIRMAN AHEARNE: Thank you.

(Whereupon, at 12:47 p.m., the Commission adjourned, sine die.)

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CERTIFICATE

1
2 This is to certify that the foregoing proceedings
3 were held as herein indicated, before the Nuclear Regulatory
4 Commission, meeting en banc, in the matter of:

5 STAFF BRIEFING ON ASSESSMENT OF CLEAN-UP

6 AT THREE MILE ISLAND;

7 Further, that this transcript is a true and
8 accurate reflection, to the best of my ability, of such
9 Commission meeting.

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12 NORRIS F. SWETLAND
13 Stenotype Reporter
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