



HARRY HUGHES
GOVERNOR

STATE OF MARYLAND
EXECUTIVE DEPARTMENT
ANNAPOLIS, MARYLAND 21404

December 31, 1979

Honorable John F. Ahearne
Chairman
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Chairman Ahearne:

The accident at Three-Mile Island and its aftermath have caused grave concern in Maryland. It is important to proceed with an expeditious but deliberate cleanup whereby dissolved radioactive materials are removed from the power plant water, placed into a solid form, and transported from the island to an appropriate site, in order to keep any discharge of radioactivity from the plant site within the limits set by the operating license, and, in addition, as low as is reasonably achievable.

We have consistently maintained that the existing operating license is in force and should govern the cleanup activities. To date, releases from the plant have been within the limits established by the operating license. Furthermore, a level of cooperation has been maintained between our respective staffs which we appreciate. However, I am convinced that it is necessary that the Commission commit to the actions outlined below to alleviate the growing concern we sense in Maryland and to allow us to determine that future activities at Three-Mile Island will properly provide for the well-being of Maryland's environment and its citizens.

In proceeding further, the Commission should first require the Metropolitan Edison Company to prepare a prospectus addressing the actions required to accomplish the cleanup. The Commission should then carry out a process, open to public review and comment, to determine which of the proposed actions are to be addressed in the programmatic environmental impact statement (EIS) the Commission has committed to prepare. Prior to this determination of the scope of the EIS, no actions should be taken which would result in the discharge of radioactivity into the environment. Those proposed actions which cannot be accomplished within the requirements of the existing operating license must be subjected to relicensing, with full public participation.

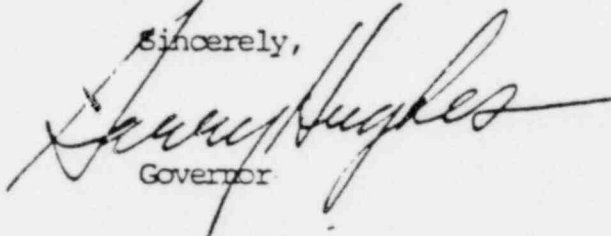
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Prior to any discharge of radioactivity to the environment occasioned by the cleanup operations, we request that the Commission provide the State with advance notice of the proposed discharge, including copies of relevant written materials available to the Commission, and with sufficient time for Maryland to arrange for monitoring, to conduct independent sampling and analysis of water or gases proposed to be discharged, and to review and submit comments on the proposed discharge. The State will be enlisting the advice and counsel of independent scientists including those on its Power Plant Siting Advisory Committee and others in making its assessments.

Although we would regret the necessity of having to take any action to obtain judicial declaration of these principles, we feel sufficiently strongly about these matters so as to be prepared to do so in the absence of an appropriate and early response from the Commission.

Sincerely,



Governor