



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

8005020295

April 29, 1980

Multiple Addresses  
(See attached list)

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

Dear Parties:

On April 16, 1980, the Nuclear Regulatory Commission ruled that the accident at Three Mile Island, Unit 2 did not constitute an "extraordinary nuclear occurrence" as defined by the Price-Anderson act. A copy of the Commission's determination is attached.

Sincerely,

A handwritten signature in cursive script that reads "Lucinda Low Swartz".

Lucinda Low Swartz  
Counsel for NRC Staff

cc: Ivan W. Smith, Esq., Chairman  
Dr. Walter H. Jordan  
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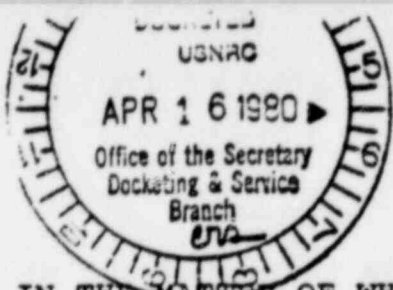
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Washington, D. C. 20555



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF WHETHER THE ACCIDENT AT THE THREE MILE ISLAND NUCLEAR STATION, UNIT 2, ON MARCH 28, 1979, CONSTITUTES AN EXTRA-ORDINARY NUCLEAR OCCURRENCE AS DEFINED BY SECTION 11(j) OF THE ATOMIC ENERGY ACT AND 10 CFR PART 140 OF THE COMMISSION'S REGULATIONS

DETERMINATION

The Commission today determines that the accident at Three Mile Island did not constitute an "extraordinary nuclear occurrence" (ENO) as that term is defined by the Price-Anderson Act and the Commission's regulations. Specifically, we find that Criterion I for an ENO, contained in 10 CFR 140.85, has not been met. For reasons explained below, we make no explicit finding as to Criterion II.

In the event of a nuclear accident (or nuclear "incident" as the term is used in the Atomic Energy Act), claims for injuries or damages can be brought by any injured person against the plant licensee (in this case Metropolitan Edison Company) and any other party considered responsible for the accident. Congress has established a system of private insurance, funds from electric utilities and government indemnity totalling \$560 million to pay such claims. One of the principal obstacles to a claimant's recovery for injuries or damages could be the necessity of proving in a court proceeding that the defendants were negligent and that their negligence caused

or contributed to the accident. The Commission determines that a nuclear "extraordinary nuclear occurrence," the Price-Anderson Act, is similar in some respects to the Price-Anderson Act.

DUPLICATE DOCUMENT

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