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

APR 3 1980

Catherine A. Musser
R.D. 2, Londonderry Ests.
Elizabethtown, PA 17022

Dear Ms. Musser:

I am writing in response to your letter to the Nuclear Regulatory Commission regarding classification of the accident at Three Mile Island as an Extraordinary Nuclear Occurrence (ENO). I regret that this answer to your letter has been delayed. The accident and its consequences have created a substantial increase in the agency's workload, which has prevented me from responding to you as promptly as I would have liked to.

ENO is a term defined in the Atomic Energy Act of 1959, as amended (the Act), that identifies those nuclear accidents where compensation to people for damage or injuries will be on a no-fault basis. In the event of a nuclear accident resulting in minor damages, these no-fault provisions would not apply and normal legal procedures would be followed for persons submitting damage claims.

The NRC was given the authority in the Act to determine whether or not an accident can be classified as an ENO. The Act defines an ENO as an event that causes a discharge of radioactive materials in amounts causing offsite radiation levels which the Commission determines to be substantial and which the Commission determines has resulted or will result in substantial damages to offsite persons or property. The Commission was required by the Act to establish specific criteria in its regulations for making the ENO determination. Although the accident at TMI was not a normal occurrence and would be considered extraordinary in everyday language, a panel of senior NRC staff officials recommended that the accident does not meet specific criteria for an ENO set forth in the regulations. This recommendation is advisory, only the Commission will make the final determination of whether the TMI accident constitutes an ENO. I appreciate your contributing to the public record on this matter.

With regard to your concern about the confusion in reports at the time of the accident, information about the accident made available to the public was confusing for a number of reasons. Some problems were attributable to the sources of information, some to the way in which information was made available to the press, and some to how the press reported the information it obtained. NRC's information was not always complete, nor in some instances, wholly accurate.

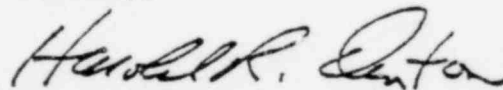
We recognize the importance of making complete and accurate information available to the public. Consequently, we have made specific plans for providing information to the public for such potentially serious accidents as occurred at Three Mile Island. These plans include making the availability of public information part of NRC's and the utilities' emergency response planning. Under this policy, the utilities must provide offsite locations for news-centers. We also plan to appoint a senior NRC official responsible for coordinating NRC information activities during an emergency. By centralizing the gathering and dissemination of NRC's information, we will provide the public with relevant and timely information.

The only classes of claims arising out of the Three Mile Island accident that the two insurance pools--American Nuclear Insurance (ANI) and Mutual Atomic Energy Liability Underwriters (MAELU)--have been allowed by the Federal District Court for the middle district of Pennsylvania to pay are claims for evacuation costs and lost wages incurred by pregnant women, preschool age children and their families living within a five-mile radius of the Three Mile Island plant. Those persons believing that they have incurred a legitimate expense as a result of the accident should submit their claims to the insurance pools. Payment of the claims will then depend on the decision made by the court. The claims should be submitted to the following address:

American Nuclear Insurers
ATTN: Mr. William Carrier
The Exchange, Suite 245
270 Farmington Avenue
Farmington, Connecticut 06032

I appreciate your concerns and assure you that every effort is being made to ensure the continued protection of the health and safety of the public, not only at the Three Mile Island Station, but also at all nuclear power plants.

Sincerely,



Harold R. Denton, Director
Office of Nuclear Reactor Regulation