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JUL 22 1980

MEMORANDUM FOR: Bernard Snyder, Director, TMIPO
FROM: Lawrence J. Chandler, Attorney, OELD
SUBJECT: COMMENTS ON DRAFT PEIS FOR TMI-2 CLEANUP

We have reviewed the referenced document which was received on July 19, 1980, to assure its compliance with applicable NRC regulations, CEQ regulations and, most fundamentally, NEPA. In our review, we have given due consideration to the facts that (a) this is a draft document, and (b) because of its unique subject matter, much is based on judgment rather than hard fact. We would note that, in large part, the broad comments provided below were previously given to you during our review of the PEIS at Argonne National Laboratory on June 24-26, 1980.

By way of general comment, the reference in every section addressing "Other Environmental Effects" to Sections 3.1.6 and 3.1.7 should be deleted. These two sections do not discuss environmental effects of any action but rather describe the socioeconomic and psychological environment which currently exists; the reference to Section 10.6 is the proper citation to the discussion of the impacts.

As you were previously informed, CEQ regulations require that a list of all preparers (not reviewers) and their qualifications be included. Such list is not included.

NRC regulations require a balancing of costs and benefits; the disclaimer on page 12-2 is inadequate. The need to cleanup the facility will suffice to present the benefits (see Section 5.2 and Section 2 generally). Costs should be presented in quantified terms to the extent possible, including economic costs (as required by NRC and CEQ regulations) but, as they are not now available, a qualitative description of costs (approximate dollars costs (see Section 1.3) and environmental costs - e.g., total health effects, land use, commitment of other resources--see Section 10 generally), should at a minimum be presented. Thus, in lieu of the negative statement made on page 12-2, reference to Sections 2 and 10 should be made (as a distinct section in Section 12) together with a judgment as to the balance to be struck.

NEPA also requires consideration of irreversible and irretrievable commitments of resources. Such discussion cannot be discerned in this document. It should include, to the extent possible, a consideration of what material resources, including land, might be required and irrevocably committed or

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consumed as a result of the cleanup operation (i.e., resin and filter materials, land required for off-site waste storage which may have other potential uses, such as farming. (See Section 9.))

It should be emphasized, in the appropriate sections, that a given activity will not involve any offsite effluent or impact in terms of thermal, chemical or radioactive gaseous or liquid discharges since the effluent, at least initially, will be contained on-site as part of the normal operating process. Your treatment of this matter is uneven at best and should be expanded.

Specific comments:

<u>Page</u>	<u>Comments</u>
xiv (last line)	I believe that the correct date is January 29, 1980, not "January 14, 1980."
1-1	The footnote (*) should be deleted; it is a repeat of the footnote at page S-1.
1-3 (fifth para., line 3)	Check whether the word "pilot" is correct.
1-16 (Sec. 1.5.6, line 3)	"NRC" and "SC-1" should be "NRU" and "SL-1", I believe.
1-19 (last para., line 3)	Insert "proposed" between "of" and "10 CFR..."
1-21 (Sec. 1.6.1.4, line 2)	I believe that only Appendix B was amended; this should be checked.
1-26 (Sec. 1.6.3.2)	In this section (and by additional requirements set out in the proposed technical specifications in Appendix R), the licensee should be required to provide information concerning each activity proposed to enable preparation of a Staff safety evaluation and to permit an evaluation of non-radiological environmental impacts on man and the environment, not only the dose information you propose to require.
2-3 (Sec. 2.1.2.1, second para., line 4)	I believe that the correct date was October 16, 1979, not "October 25, 1979."
3-3 (fifth para.)	I believe that Peach Bottom 1 is shutdown (permanently) and possibly even decommissioned. This should be checked and changed if this is the case.

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4-2 (Sec. 4.3.1, line 9)

After "demonstrated," add: "and the use of the system approved."

5-7 (first line)

The basis for using the "administrative dose limit" should be explained at this point and not left for page 10-10 or Appendix L.

5-9 (Sec. 5.1.5.4)

The impact of the discharge of freon should include its local effects, if any, not only "global releases."

6-5 (Sec. 6.1.5)

If actual data are now available from the purging operation, they should be included.

6-8 (next to last para.)

The "urgent" need for information is not supported sufficiently to justify the conclusion.

7-21 (Sec. 7.2.4.1, line 3)

Change "selected" to "approved"; only the latter is legally relevant.

9-6 (Sec. 9.1.2.1, second para., line 2)

"99 CFR" should, I believe, be "49 CFR."

9-12 (forth para., line 2)

The cite to "(45 CFR 7140)" should be checked.

(Sec. 9.4, second para.)

The conclusion of no impact is at odds with Table S-4 to 10 CFR Part 51, WASH-1238 and the text of the PEIS itself, in Sec. 9.5.1.

10-22 (Sec. 10.6.1.6, last sentence)

The meaning of the third effect, as stated, is not clear.

Other suggested corrections, of an editorial nature, are contained on the marked up copy of the document, returned herewith.

Based on experience in connection with comments received regarding the venting environmental assessment, it may be desirable to state, in the Forward, that only comments of a non-proprietary nature which can be disclosed to the public should be submitted.

Lawrence J. Chandler
Attorney, OELD

OFFICE	W/OELD				
SURNAME	LJChandler:cr				
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