



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

JUL 31 1980

Ms. Joanne Riccitelli
The Conservation Law Foundation
of Rhode Island
3 Steeple Street
Providence, Rhode Island 02903

Dear Ms. Riccitelli:

I am writing in response to your letter to the Office of Nuclear Reactor Regulation regarding the accident at Three Mile Island. 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.

Your letter discussed the decision that the accident at Three Mile Island was "not to be considered 'extraordinary.'" Extraordinary Nuclear Occurrence (ENO) is a term defined in the Atomic Energy Act of 1954, as amended (the Act), which identifies those nuclear accidents where compensation to people for damages or injuries will be on a no-fault basis. In the event of a nuclear accident resulting in small releases or 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 that the Commission determines to be substantial and that 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, the Commission, in an April 16, 1980, finding, determined that the accident does not meet specific criteria for an ENO as defined by the Price-Anderson Act and the Commission regulations.

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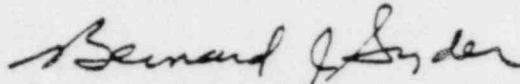
Ms. Joanne Riccitelli

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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 Three Mile Island, but also at all nuclear power plants.

Sincerely,



Bernard J. Snyder, Program Director
Three Mile Island Program Office
Office of Nuclear Reactor Regulation