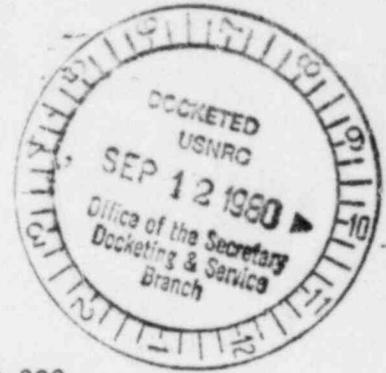


SHOLLY, 9/8/80

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of
METROPOLITAN EDISON COMPANY, ET AL.
(Three Mile Island Nuclear
Station, Unit No. 1)

Docket No. 50-289
(RESTART)

INTERVENOR STEVEN C. SHOLLY REVISED EMERGENCY
PLANNING CONTENTION (CONTENTION #8)

Pursuant to the Board's Memorandum and Order Resuming Schedule For Discovery and Contentions on Emergency Planning, dated 7/17/80, I am submitting as Enclosure A of this filing my revised emergency planning contention (Contention #8).

The emergency planning contention as filed in revised form on 12/17/79 contained a general contention which was supported by 33 separate statements of defects in the various emergency plans at issue here. This format is retained; however, in order to add clarity, the supporting "subcontentions" are separated according to the emergency plans with which they are associated (i.e., Licensee's plan, State plans, County and Local plans). To reduce any confusion which this may cause, I have included a description of the 12/17/79 contention and where the specific issues are found in the revised contention. In addition, as a result of reconsideration of the "subcontentions", some of them are being dropped, others are being simplified, and still others are being combined to avoid duplication. Where this has been done, it is so noted.

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There are a number of considerations which have entered into this revised emergency planning contention. First of all, all of the emergency plans which have been served upon the intervenors are in draft form or are subject to further revision before these proceedings are concluded. In fact, upon submitting the State and county plans to the Licensee for service to the parties, Col. Henderson, Director of PEMA, stated:

"The attached copies of State and county fixed nuclear facility plans are provided per your request. Care should be exercised in using these plans because they are in draft form and in various stages of completion."

Col. Henderson further cautioned:

"The five county plans forwarded have not been formally reviewed by the RAC. It is anticipated that some changes will be made as a result of the RAC review."

To further compound the situation, a number of significant developments have occurred since the parties were served with the revised emergency plans on June 9-10, 1980. Included among these developments are the submission of a further revised York County emergency plan to the county Commissioners on August 27th, a major exercise of the State plan with limited county participation on June 16th, release of the FEMA report to the President around August 12th, and publication of the final rule on Emergency Planning in the Federal Register on August 19th.

It is clear that further revisions to emergency planning contentions may be necessitated as the emergency plans continue to "evolve". The revised

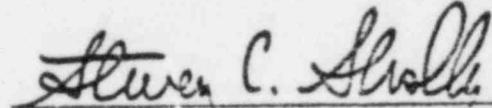
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Contention #8 attached hereto represents the status of the contention based on information received as of August 30, 1980.

DATED: 8 September 1980

RESPECTFULLY SUBMITTED,



Steven C. Sholly
304 South Market Street
Mechanicsburg, PA 17055

H--717/766-1857

W--717/233-4241

A NOTE ABOUT SERVICE OF THIS DOCUMENT:

Pursuant to a telephone call to the Chairman on 9/8/80, this document will be filed with the Board, NRC Staff, and the Licensee by Express Mail on September 10, 1980, thus ensuring receipt by September 11. The Commonwealth's copy will be hand-delivered on the 11th. All other parties will receive service by regular mail on the 10th. These arrangements were made to permit refinement of the contention so that it will be better understood by the parties and the Board.

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INTERVENOR STEVEN C. SHOLLY REVISED CONTENTION #8

GENERAL STATEMENT:

It is contended that the emergency response plans¹ which have been established for the purpose of protecting the public health and safety in the Plume Exposure and Ingestion Exposure Emergency Planning Zones² for the Three Mile Island Nuclear Station Unit 1 reactor collectively and individually fail to establish the necessary degree of emergency preparedness and emergency response capabilities required to protect the public health and safety in the event of an emergency³ at TMI Unit 1.

The discrete defects in the emergency response plans detailed below must, therefore, be fully resolved prior to restart of TMI-1 in order to ensure the protection of public health and safety.

¹ Metropolitan Edison Company, Unit 1 Emergency Plan, Revision 2, June 1980; Commonwealth of Pennsylvania, Annex E, Commonwealth Disaster Operations Plan, Fixed Nuclear Facility Incidents, Revised Edition, March 28, 1980; Commonwealth of Pennsylvania, Department of Health, Radiation Emergency Response Plan, Draft, February 1980; Lancaster County Emergency Management Agency, Lancaster County Emergency Evacuation Plan, Draft, May 30, 1980; Lebanon County Emergency Management Agency, Emergency Operations Plan, Radiation Incidents--Three Mile Island Nuclear Power Plant, Draft, May 20, 1980; York County Board of Commissioners, York County Protective Action Plan for the Three Mile Island Nuclear Power Plant, Draft, June 4, 1980; Dauphin County Emergency Management Agency, Annex E, County Fixed Nuclear Facility Incident Response Plan, Draft, May 5, 1980; and Cumberland County Office of Emergency Preparedness Cumberland County Three Mile Island Emergency Response Plan, Draft, May 5, 1980.

² Those EPZ's described in NUREG-0654, and embodied in the new emergency planning rule (10 CFR 50.47).

³ Licensee's classifications of UNUSUAL EVENT, ALERT, SITE EMERGENCY, and GENERAL EMERGENCY.

I. DEFECTS IN LICENSEE'S EMERGENCY PLAN, REVISION 2, JUNE 1980

- A. There is insufficient documentation in Licensee's Emergency Plan of the sufficiency of communications links with offsite support organizations during an emergency at Three Mile Island. Timely and reliable communications with these organizations is necessary to the successful implementation of Licensee's Emergency Plan, and for the protection of the public health and safety. Adequate communications links with offsite support organizations during an emergency must be a prerequisite to restart, as must be a provision to ensure the continuing existence of such communications links throughout the duration of the facility operating license.
- B. Licensee's acceptance, without formal analysis or evaluation, of a circular 10-mile radius for the Plume Exposure Emergency Planning Zone (as designated by the Pennsylvania Emergency Management Agency) does not discharge Licensee's responsibility to ensure that adequate emergency response plans exist to protect the public health and safety in the event of an emergency at TMI-1. Further, acceptance of or designation of a circular 10-mile radius Plume Exposure EPZ for TMI-1 is unjustified because such an EPZ fails to adequately consider local emergency response needs and capabilities as they are affected by demography and jurisdictional boundaries. These considerations, among others, are specified in NUREG-0396, NUREG-0654, and the new emergency planning rule published in the Federal Register on August 19, 1980. The following specific local conditions should be reflected in the Plume Exposure EPZ for TMI-1:
- (1) The proposed 10-mile radius circular EPZ includes within the EPZ portions of numerous jurisdictions at the township, city, borough, and town levels of government. Calling for an evacuation of only a portion of any political jurisdiction due to a hazard which affects a large geographic area and basing emergency plans and response capabilities on such a limited evacuation will lead to problems due to spontaneous evacuation of a much larger area, with a concomitant increase in traffic and supply requirements at shelters. Therefore, the Plume Exposure EPZ for TMI-1 should include the entire geographic extent of all governmental jurisdictions at the township, city, borough, and town level which are bisected by the proposed circular 10-mile EPZ.
 - (2) There are heavily populated areas in and near the cities of Harrisburg and York represented by the city proper and adjacent continuation of the urban areas into the suburbs. In the event that the

wind is blowing toward either of these areas when a large release of radioactivity occurs, such areas would constitute a large percentage of the total population dose (in the case of the TMI-2 accident, for instance, Harrisburg contributed 25% of the total population dose despite the fact that most of the city is more than 10 miles distant from the plant). The urbanized areas in and around Harrisburg and York are concentrations of population for which preplanning for an evacuation is a necessity for successful implementation (for instance, preplanning would have to include evacuation routes, transportation needs, host area requirements, and problems posed by special populations such as prisons). Therefore, the urbanized areas around and including the cities of Harrisburg and York should be included within the Plume Exposure EPZ for TMI-1.

- (3) Numerous members of the Old Order Amish community reside in relatively close proximity (within 10 miles) of the outer boundary of the Licensee's Plume Exposure EPZ in Lancaster County. Because the Old Order Amish eschew the use of electricity, telephones, and automobiles, they present unique problems with respect to warning, communication of protective action advisories, and transportation. These unique problems warrant the special consideration the inclusion of Old Order Amish within the Plume Exposure EPZ would provide.
 - (4) To the extent that the Licensee relies upon the decision of county officials in the Three Mile Island area to develop and maintain a 20-mile emergency response capability as a substitute for making a determination that the 10-mile circular EPZ is adequate, the adequacy of such a 20-mile capability must be established as a condition to the restart of TMI-1.
- C. Licensee's Emergency Plan fails to acknowledge and adequately address the unique problems posed by the fact that the population within 10 miles of Three Mile Island is the fourth largest of any operating nuclear reactor in the U.S.
- D. Licensee's Emergency Plan and Emergency Public Information Plan⁴ fail to address the Licensee's lack of credibility as a source of information during an emergency at TMI-1, as well as any impact this might have on the public's response to an emergency at TMI-1.

⁴ Emergency Public Information Plan for the Three Mile Island Nuclear Generating Station, Metropolitan Edison Company, June 9, 1980.

- E. Licensee's Emergency Plan fails to provide sufficient information on estimates of time required to recognize and assess an emergency condition, complete the required offsite notifications, implement protective actions, and verify that such actions have been successfully implemented. Such information is vital to making a determination of what protective action should be recommended in any given emergency.
- F. Licensee's Emergency Plan contains insufficient descriptions of the nature and scope of support services provided by contractors, the qualifications of such contractors to perform the specified services, and mutually acceptable criteria for the implementation of such services.
- G. The "letters of agreement and understanding" appended to the Licensee's Emergency Plan contain numerous defects as noted below.

- DEFECT 1--Provides no clear concept of radiological response operations.
- DEFECT 2--Lacks sufficient details on the nature and scope of support.
- DEFECT 3--Fails to specify mutually acceptable criteria for the implementation of emergency assistance.
- DEFECT 4--No letter of agreement provided, but should be.

- (1) General Public Utilities, 1 & 3.
- (2) PEMA, 1.
- (3) York County, 1 & 3.
- (4) Lancaster County, 1 & 3.
- (5) Bureau of Radiation Protection, 1 & 3.
- (6) U. S. Coast Guard, 1 & 3.
- (7) Conrail, 1.
- (8) NRC, 1 & 3.
- (9) Middletown Fire Department, Liberty Fire Co. #1, 1.
- (10) Rescue Hose Co. #3, 1.
- (11) Union Hose Co. #1, 1.
- (12) Bainbridge Fire Company, 1.
- (13) Middletown Police Department, 1.
- (14) Hershey Medical Center, 4.
- (15) EPA
- (16) Babcock and Wilcox
- (17) Scientific Applications Ind., 4.
- (18) Canberra Ind., 4.
- (19) Philadelphia Electric Company, 4.
- (20) Pennsylvania Power and Light, 4.
- (21) Public Service Gas and Electric, 4.
- (22) Pickard, Lowe, and Garrick, 4.
- (23) Teledyne Isotopes, 4.

- H. Licensee's description of protective actions measures and preplanning within the Ingestion Exposure EPZ fails to meet adequate protection of public health and safety. There is no evidence of contact with responsible officials in Counties within the Ingestion Exposure EPZ⁵ with regards to possible protective actions which may be required due to an emergency at TMI-1. Further, there are no letters of agreement pledging cooperation in the event of an emergency, nor is there even any evidence that the Counties involved are aware of their possible roles in the event of an emergency at TMI-1. The new emergency planning rule (10 CFR 50.47b9) requires that protective actions for the Ingestion Exposure EPZ appropriate to the locale have been developed; there is no evidence of such plans in Licensee's Emergency Plan.
- I. Licensee's Emergency Plan fails to adequately provide a mechanism which will assure the effectiveness of the Emergency Plan throughout the operational lifetime of the TMI-1 facility.
- J. Licensee's Emergency Plan, in section 4.4.1, asserts, without explanation or basis, that Licensee's emergency classification system is designed to permit operators to recognize and declare emergencies within 10 minutes of the initiating event. In the light of events during the TMI-2 accident (3/28/79 et seq.), there is no basis for reliance on this time limit for recognition of and declaration of an emergency at TMI-1. Licensee's Emergency Plan should reflect the potential for failure to promptly recognize and declare an emergency, and should include contingency plans and procedures for coping with this eventuality. This is especially important within the context of the time available for implementing protective actions in the Plume Exposure EPZ; this was recognized in NUREG-0396 at page 19 where it is stated that the time available for action is "strongly related" to the time consumed in notification. Notification cannot commence until an emergency is recognized and declared.
- K. Licensee's Emergency Plan fails to provide adequate assurance that there will be available, at all times, sufficient numbers of operational and properly calibrated radiation monitoring devices, and sufficient numbers of properly trained and qualified personnel to operate these devices. This is essential to assure that timely offsite radiation dose readings can be taken in the event of an emergency at TMI-1.
- L. Licensee's Emergency Plan fails to provide assurance that timely radiation dose readings can be obtained from offsite locations in the event of an emergency at TMI-1. The most rapid and reliable means of accomplishing this goal is a remotely-read, real-time gamma dose monitoring system. Such a system would give instantaneous gamma dose readouts in each sector of the Plume Exposure EPZ out to a distance of 10 miles or the outer boundary of the Plume Exposure EPZ, whichever is greater. Such a system should

⁵ Adams, Franklin, Chester, Perry, Mifflin, Juniata, Snyder, Berks, Northumberland, Columbia, and Schuylkill.

be required as a condition of restart.

- M. The Exclusion Area specified in the Emergency Plan contains surface water area in the Susquehanna River over which the Licensee has no reliable and legal means to control access.
- N. Licensee's Emergency Plan, despite statements that it is coordinated with the Emergency Plan Implementing Procedures, the Security Plan, the Radiation Protection Plan, and other unspecified procedures, fails to show how this is so.
- O. Licensee's Emergency Plan incorporates numerous other documents by reference, a practice which will, under emergency conditions, tend to slow emergency response due to the lack of a single, integrated source of information and procedures.
- P. Licensee's emergency classification scheme contains four categories of emergency, each of which is associated with a list of examples of emergencies which would fall into that category. There are no bases given for the choices of classification, and there are a number which appear to be incorrectly categorized based on their potential for causing releases of radioactivity to the environment or severely degrading the level of safety of the TMI-1 plant. The following specific examples should all be placed into the next higher classification in Licensee's system:

(1) Under the classification of UNUSUAL EVENT:

- * Reactor trip coincident with either total loss of forced reactor coolant flow or total loss of main and emergency feedwater.
- * Any reactor trip followed by an unplanned automatic ECCS actuation.
- * Any near or onsite toxic or flammable gas or liquid release which affects the habitability required for normal plant operations. (this should fall under SITE EMERGENCY rather than ALERT)
- * Any valid Reactor Building evacuation alarm.

(2) Under the classification of ALERT:

- * RCS pressure and temperature reach saturation conditions.

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- * RCS hot leg temperature equal to or greater than 620 degrees F.
- * RCS pressure in excess of 2500 psig.
- * Failure of RCS PORV to shut after lifting to relieve pressure.
- * Reactor building pressure equal to or greater than 4 psig.
- * Loss of all offsite power coincident with the failure of both diesel generators to start for less than 15 minutes.
- * A valid high alarm on the station liquid effluent monitor.
- * Offsite radiological monitoring reports of at least 10 mR/hr (gamma) at any location.

(3) Under the classification of SITE EMERGENCY:

- * Reactor building pressure equal to or exceeds 30 psig.
- * Loss of all offsite power and loss of both diesel generators (failure to start for more than 15 min.).
- * Failure of ECCS components to start and run following an automatic actuation when the number of components running is less than the minimum assumed for accident analyses.
- * Offsite radiological monitoring reports of 50 mR/hr (gamma) or higher at any location.

Q. As a precondition to restart, Licensee must be able to meet the conditions of the new emergency planning rule (10 CFR Part 50, Appendix E, IV, D, 3) regarding prompt notification procedures and requirements. The new rule provides that by 7/1/81 the Licensee must demonstrate "that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway EPZ." The rule further provides that "(t)he design objective shall be to have the capability to essentially complete the initial notification of the public within the plume exposure pathway EPZ within about 15 minutes." Since the Licensee projects that TMI-1 will restart by 7/1/81 (SEE: GPU System Financial Forecast Reflecting Revised Estimate of TMI-2 Cleanup and Recovery, 8/14/80, Presented to the NRC Staff), and since

it is unlikely that these proceedings will be concluded early enough to permit a restart prior to 1/1/81, these requirements should be made a precondition of restart.

- R. The new emergency planning rule (10 CFR 50.47b7 and 10 CFR Part 50, Appendix E, IV, D, 2) imposes new responsibilities upon applicants and licensees regarding dissemination of information to the public on a periodic basis on how they will be notified in the event of an emergency and what their initial actions should be. The new Appendix E requires that emergency plans shall provide for yearly dissemination of such information to the public within the Plume Exposure EPZ, and further provides that signs be posted to disseminate such information to transients. Licensee's Emergency Plan lacks such information on how these responsibilities are to be met. Licensee's Emergency Plan must be brought into compliance with these requirements, and the first dissemination of information should be required to take place several weeks prior to restart to ensure that the public has sufficient time to read and understand the information. The dissemination of information should not be limited to distribution through utility bills, since many of the persons residing within the Plume Exposure EPZ are not customers of the Licensee.

II. DEFECTS IN THE COMMONWEALTH OF PENNSYLVANIA'S PLANS

- A. The Commonwealth's specification of a uniform 10-mile radius circular EPZ for all nuclear power plants in the Commonwealth, including TMI-1, has not met the responsibility of the Commonwealth to examine each site individually to determine the existence of conditions such as demography, topography, land characteristics, access routes, and jurisdictional boundaries, which impact on the local emergency response needs and responsibilities. As a precondition to restart, the Commonwealth should fulfill its responsibilities in this regard and designate a Plume Exposure EPZ and an Ingestion Exposure EPZ which take into account these local conditions as they pertain to Three Mile Island. The Plume Exposure EPZ designated by the Commonwealth must take into account those factors listed in Section I, subcontention B of this contention. If it is the position of the Commonwealth that the 20-mile evacuation plans adopted by the counties of Lancaster, Lebanon, Cumberland, Dauphin, and York "absolves" it from making these determinations, then the Commonwealth should formally adopt a 20-mile Plume Exposure EPZ in its plans, as well as those of the Licensee, should be amended to reflect this change.
- B. The assumptions stated on page 6 of the Revised Edition of Annex E as noted below are without basis and reliance on these

assumptions during an emergency may place the public health and safety at significant risk depending upon the severity of the emergency at TMI-1:

- (1) Fixed nuclear facility incident consequences may require protective action of up to 10-miles and may require actions for agricultural, dairy and food product control up to 50 miles.
- (2) Federal agencies will provide for the Commonwealth's essential "unmet" needs on a timely basis.
- (3) For planning purposes, persons evacuated from a risk area will prepare to remain outside that risk area for at least three days.
- (4) The 10-mile evacuation distance includes an adequate safety margin which precludes the need for evacuation of institutions, facilities or people beyond the 10-mile radius.
- (5) At least 50% of the population at risk will make independent provisions for sheltering in the event of necessity to evacuate.

None of these assumptions is justified in the Annex E plan. Numbers 1 and 4 are based on the Commonwealth's application of the EPZ concept which is the subject of subcontention A in Section II of Contention 8. These assumptions should be changed to reflect a revised EPZ for the Plume Exposure pathway. Number 2 is not justified in any manner and if it is to be retained and relied upon as a planning basis, must be supported with agreements which specify what assistance is available, from whom it is available, and under what conditions it is available. Numbers 3 and 5 relate to planning assumptions for host counties and are without basis; reliance on these two assumptions, if they are incorrect, could lead to significant problems in host centers.

- C. No provisions have been made in the Commonwealth's Annex E plan for radiological monitoring during inclement weather. There are no provisions for nor explanation of any capabilities possessed by state agencies for emergency response under any but ideal weather conditions.
- D. Evacuation routes and time estimates for TMI-1 do not reflect possible impediments to egress routes, such as rush hour traffic, inclement weather, or seasonal changes in traffic flow (caused, for instance, by the State Farm Show or similar function, or by tourist traffic).

- E. Annex B, the Department of Agriculture Plan for Nuclear Power Generating Station Incidents, for the Commonwealth has no provisions for criteria for the reactivation through normal or restricted usage of previously contaminated property, equipment, foodstuffs, and water supplies in the Ingestion Exposure EPZ or the Plume Exposure EPZ.
- F. The Commonwealth's emergency response plans presently lack approval by FEMA, RAC, and NRC. Until these plans are approved, restart should be denied.
- G. The Commonwealth's method of testing its emergency preparedness by using drills where the specific scenario is known to all participants well ahead of the scheduled date for the exercise limits the effectiveness of such testing to very low levels. The June 16, 1980 drill is a prime example of this situation, wherein even though the parties to the drill knew ahead of time the starting and conclusion times for the exercise, the accident scenario that would be used, and the fact that the exercise would end in a call for an evacuation, major problems developed, especially regarding the Health Department and the relationship of PEMA and BRP. This drill shows conclusively that the Commonwealth's readiness for an emergency at TMI-1 is not sufficient to adequately protect the public health and safety. Until such time as through improvements in planning and by drills which are unannounced that the Commonwealth can demonstrate an adequate level of emergency preparedness, restart of TMI-1 should be denied.

III. DEFECTS IN THE COUNTY AND LOCAL GOVERNMENT PLANS

- A. No emergency response plans for any political jurisdiction smaller than a county have been served upon the parties to this proceeding. If the position of the Licensee and the Commonwealth is that such plans are not necessary to a finding of adequacy of emergency preparedness in support of TMI-1, this position should be made known as should be the basis for this position. Until it is clearly established that (1) either the plans of local governments are not needed in order to judge the adequacy of emergency preparedness, or (2) such plans are served on the parties and are established as being sufficient, restart of TMI-1 must be denied.
- B. The Cumberland County Office of Emergency Preparedness "Cumberland County Three Mile Island Emergency Response Plan" Draft, May 5, 1980) contains assumptions which are without basis and reliance upon which may place the public health and safety at significant risk in the event of an emergency at TMI-1. These assumptions are:

- (1) Advanced warning will permit the implementation of phased, preplanned readiness and evacuation procedures.
- (2) The majority of evacuees, over 50%, will go to the homes of friends or relatives. A very small percent of the population will require Mass Care.

Assumption 1 is unsupported and is a major flaw in the Cumberland County plan, one which renders its use in an evacuation highly suspect in terms of providing protection of public health and safety. It is much more likely that persons listening on radios to radio traffic will hear indications of an emergency at TMI, will report this information to local media, and the news about the emergency will be released before the "phased, preplanned readiness and evacuation procedures" can be implemented. Assumption 2 is questionable, and can be very dangerous in the event of a sudden call for an evacuation, because more persons may need Mass Care in such circumstances than are planned for.

- C. The Cumberland County plan fails to recognize the special considerations arising when evacuation occurs during certain times of year. For instance, the following times of year and specific populations require special attention regarding evacuation:

- (1) Parks and recreation facilities during the summer.
- (2) Public and private schools.
- (3) College students.
- (4) Prisons and jails.
- (5) Hospitals, nursing homes, and rehabilitation centers.
- (6) Factories, shopping malls, and other similar concentrations of population.

- D. The Cumberland County plan provides that residents of the New Cumberland area would be evacuated to Newville and Shippensburg, which are about 35 to 45 miles from TMI-1. Residents of Mechanicsburg would be evacuated to Carlisle, which is about 25 miles from TMI-1. It is not reasonable to expect that residents of Mechanicsburg to evacuate to a location only 5-7 miles more distant from where they live when other county residents will evacuate to more distant locations. This could lead to serious consequences in terms of Mass Care facilities and supplies.

- E. None of the five county plans within the proposed Plume Exposure EPZ have demonstrated that they have the capability of meeting the new prompt notification requirements of the NRC emergency planning rule (10 CFR Part 50, Appendix E, IV, D, 3) requiring the capability of essentially complete notification of the public within the Plume Exposure EPZ within about 15 minutes. Until this capability is demonstrated to exist, TMI-1 restart must be denied.
- F. None of the five county plans within the proposed Plume Exposure EPZ have demonstrated adequate planning for notification of transients during an emergency at TMI-1.
- G. None of the five county plans within the proposed Plume Exposure EPZ contains adequate provision for public education prior to restart and on a continuing basis thereafter on how the county emergency plans work, what the warning system consists of, and what emergency actions may be required of residents, including evacuation along a designated route.
- H. Both the Dauphin and York County plans contain three assumptions which mirror assumptions made in the State plans. Reliance upon the accuracy of these assumptions, which are without basis, may place the public health and safety at significant risk in the event of an emergency at TMI-1. These assumptions are:
- (1) State agencies will provide the County with essential "unmet" needs on a timely basis.
 - (2) Persons evacuated from a risk area will plan to remain outside the risk area for three days.
 - (3) Adequate lead time will be available to implement the provisions of the plans.

There is no information in the Dauphin and York County plans to support these assumptions. Assumption three is particularly suspect, since there are means by which citizens and members of the media can and do find out about emergency situations at TMI prior to official announcements; this can lead to spontaneous evacuations before the County emergency apparatus is in place to coordinate the evacuation.

- I. The five local county plans lack concurrence of NRC, FEMA, and RAC. Restart of TMI-1 must be denied until the emergency plans receive these approvals.

COMPARISON OF 9/8/80 VERSION WITH 12/17/79 VERSION OF CONTENTION #8

<u>SUBCONTENTION IN 12/17/79 VERSION</u>	<u>STATUS IN 9/8/80 VERSION</u>
A	I, A, Revised
B	Withdrawn as per Reconsideration
C	I, B, Revised beyond Reconsideration (6/5/80) II, A, New, same issue as I, B, but as it applies to the Commonwealth
D	Rejected by the Board on 1/25/80
E	Withdrawn as per Reconsideration
F	I, C, Revised
G	I, D, Revised
H	I, E, Revised
I	I, Q, Revised and Expanded based on new Emergency Planning Rule (FR, 8/19/80) I, R, New, based on new Emergency Planning Rule (FR, 8/19/80) III, E, New, based on new Emergency Planning Rule (FR, 8/19/80) III, G, New, based on new Emergency Planning Rule (FR, 8/19/80)
J	I, F, Revised, Incorporates part of Subcontention S in the 12/17/79 Version relating to mutually acceptable criteria for implementation of contractor services
K	Withdrawn as per Reconsideration
L	I, G, Revised, Combined with Subcontention S in the 12/17/79 Version
M	I, R, Revised, Includes reference to transients as this issue pertains to new Emergency Planning Rule III, F, Revised
N	I, H, Revised to reflect new Emergency Planning Rule, and Incorporates Subcontention U of the 12/17/79 Version
O	Withdrawn as per Reconsideration

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P Withdrawn as per Reconsideration

Q I, I, Revised

R Withdrawn as per Reconsideration

S Incorporated in I, G and I, F in 9/8/80 Version

T I, J, Revised and Specified, Incorporates Subcontention CC from 12/17/79 version

U Incorporated in I, H in 9/8/80 Version

V Withdrawn as per reconsideration

W I, K, Revised

X III, C, Revised and applied to Cumberland County plan

Y Withdrawn as per Reconsideration

Z I, M, Unchanged

AA I, N, Revised

BB I, O, Revised

CC Incorporated in I, J in 9/8/80 Version

DD I, P, Revised

EE Withdrawn by filing dated 1/7/80

FF Withdrawn as per Reconsideration

GG Withdrawn as per Reconsideration

NEW SUBCONTENTIONS BASED ON NEW INFORMATION IN 9/8/80 VERSION

I, L This subcontention is based on my response to Licensee Interrogatory #1, 7/29/80, which I filed on 8/1/80. It also incorporates a Board question as defined by Dr. Jordan (Transcript, page 2393). I will be filing a motion to withdraw Contention #4 which I had indicated in my interrogatory response no longer retained validity.

- I, Q Incorporates Subcontention I from 12/17/79 Version and also includes information from the new Emergency Planning Rule
- I, R Based on new Emergency Planning Rule
- II, A New, but based on Subcontention C in 12/17/79 Version, but applies the criteria to the Commonwealth; also reflects information supplied by Licensee in response to Interrogatory #1 on Licensee's Revised Emergency Plan (Interrogatories filed on 7/23/80)
- II, B New, based on revised Commonwealth Annex E, and on information supplied by NRC Staff in response to Interrogatories on the SER (Staff provided inputs to the SER review which included U.S. EPA review of Annex E
- II, C New, based on revised Commonwealth Annex E, and on EPA document cited above under II, B
- II, D New, based on critique of Commonwealth Annex E in NRC Staff inputs to SER evaluation of emergency planning at state level, identified only as "State/Local Plans" and indicated as a draft "from Smith".
- II, E New, based on same information as II, D
- II, F New, simple statement of fact, brought out by Henderson Memo to Zahler accompanying revised emergency plans
- II, G New, based on information supplied by Ms. Carter, counsel for Commonwealth, on 8/22/80
- III, A New, statement of fact and position
- III, B New, based on revised Cumberland County plan
- III, C New, based on revised Cumberland County plan
- III, D New, based on revised Cumberland County plan
- III, E New, based on revised plans of the five counties in the Plume Exposure EPZ
- III, F New, based on the revised plans of the five counties in the Plume Exposure EPZ

- III, G New, based on the revised emergency plans of the five
 counties in the Plume Exposure EPZ
- III, H New, based on revised York and Dauphin County emergency plans
- III, I New, statement of fact and position, brought out by
 Henderson Memo to Zahler accompanying the revised
 emergency plans

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of
METROPOLITAN EDISON COMPANY, ET AL.
(Three Mile Island Nuclear
Station, Unit No. 1)

Docket No. 50-289
(RESTART)

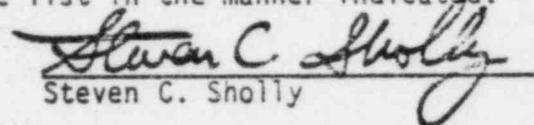
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By my signature below, I hereby certify that a single copy of
INTERVENOR STEVEN C. SHOLLY REVISED EMERGENCY PLANNING CONTENTION
(CONTENTION #8)

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Steven C. Sholly

Ivan W. Smith, Esq. (B, 9/10/80)
Chairman, Atomic Safety and
Licensing Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Office of the Secretary (A, 9/10/80)
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
ATTN: Docketing and Service
Section

Dr. Walter H. Jordan (B, 9/10/80)
Atomic Safety and Licensing
Board Panel
881 West Outer Drive
Oak Ridge, TN 37830

Office of the Executive Legal
Director (B, 9/10/80)
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Linda W. Little (B, 9/10/80)
Atomic Safety and Licensing
Board Panel
5000 Hermitage Drive
Raleigh, NC 27612

George F. Trowbridge, Esq. (B, 9/10/80)
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, D.C. 20006

Karin Carter, Esq. (C, 9/11/80)
505 Executive House
P.O. Box 2357
Harrisburg, PA 17120