

Union of
**CONCERNED
SCIENTISTS**

February 10, 1981

John Ahearne, Chairman
Peter Bradford
Victor Gilinsky
Joseph Hendrie
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: TMI-1 Restart Hearings, Pocket No. 50-289

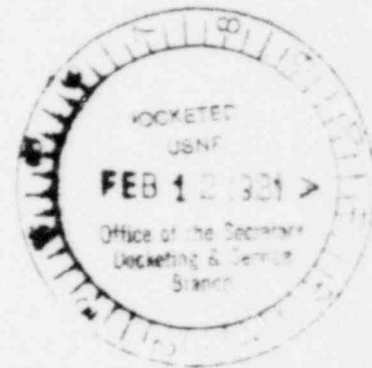
Gentlemen:

By memorandum of January 22, 1981, Chairman Ahearne directed the Chairman of the Licensing Board Panel to ask the TMI-1 Board "whether there are any actions the Commission could take" to expedite the TMI-1 Restart hearings. In response, a hearing was scheduled for February 3, 1981, in Harrisburg. All parties were directed to attend to discuss the Chairman's memorandum.

During this hearing session, the NRC Staff presented a lengthy list of "suggested procedures" to expedite the hearing. It is not our purpose here to specifically respond to that remarkable list, although it is our opinion that most of the "suggestions" bear at best a tenuous relationship to the reality of this proceeding and seem more designed to create the illusion of frenzied activity than to actually advance the date on which TMI-1 could restart, much less to ensure that an intelligent record on the relevant issues is compiled. We intend to comment to the Commission after the Licensing Board has forwarded its recommendations.

However, UCS believes that it is important at this point to inform the Commission of what we consider to be a clear attempt by the NRC Staff to pressure the Commission and the public into accepting the restart of TMI-1 before the hearings are over on the basis of misleading information on the need for electric power from TMI-1.

During the hearing session on February 3, 1981, the Staff distributed a document styled "NRC Staff's Suggestions



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on Methods to Expedite Completion of Restart Proceeding and Issuance of a Recommended Decision to the Commission." In that filing, the NRC Staff concluded that delay in the restart of TMI-1 "can have some impact on the availability of power in the area" because the DOE Staff "found that the regional power supply adequacy and system operations will be negatively impacted by a continuing outage of the facility." The source cited by the Staff for this conclusion is a January 27, 1981, letter and analysis from Richard E. Weiner, DOE, to Darrell Eisenhut, NRC. The DOE analysis was requested by Mr. Eisenhut on January 6, 1981, apparently in response to the December 1, 1980, letter to the Commission from GPU President Herman Dieckamp.

The conclusions drawn by the Staff in its February 3, 1981, filing directly contradict the Staff's conclusions as stated in NUREG-0689, published in November 1980. On page 1-8 of NUREG-0689, the Staff stated its conclusion that:

"The nonavailability of the TMI units...is not expected to create reliability problems for the PJM [Pennsylvania-New Jersey-Maryland Interconnection] system for at least the next two years. PJM's planned reserve margins during the summers of 1981 and 1982, without the TMI nuclear station, are estimated at 27.9 percent and 27.8 percent respectively. PJM has established 22 percent as adequate to maintain minimum acceptable reliability; therefore, the PJM system should have adequate capacity to meet peak load demand during this period." (Emphasis added.)

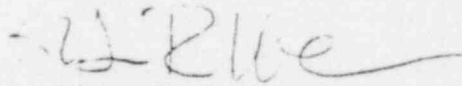
It should be noted that the DOE paper now relied on by the Staff calculated reserve margins that are nearly identical to those given in NUREG-0689 and that are also far above the required reserve margin as established by PJM. There is, therefore, no objective basis for changing the conclusion reached by the Staff in NUREG-0689. It appears that, in the interest of expediency, the Staff has manipulated the same numbers to reach the opposite conclusion and failed to inform the TMI Board about the earlier conclusion in NUREG-0689.

Then, on February 5, 1981, the New York Times reported that "[t]he staff of the Nuclear Regulatory Commission has suggested that Three Mile Island's Unit 1 reactor...could resume limited operation to avoid power blackouts in Pennsylvania, New Jersey and Maryland." (emphasis added) Thus,

the equivocal language of the Staff's submission to the Board has somehow been translated into the grave threat of power blackouts. Although we are not in a position to determine whether a commission spokesman used the phrase "power blackouts" and recognize that you do not control the content of newspaper stories, such a report is a predictable consequence of the Staff's raising the spurious threat of an impact on the availability of power if the startup of TMI-1 is delayed.

When you consider whether it is necessary to expedite the TMI-1 restart hearings, we urge you to disregard these latest unsupported assertions concerning the "need" for power from TMI-1. It has been difficult enough for the public to participate in the substantive issues related to the safety of TMI-1 without manufacturing a threatened power shortage to justify stampeding the process.

Very truly yours,



Ellyn R. Weiss
General Counsel



Robert D. Pollard
Nuclear Safety Engineer

cc: TMI Service List