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HARRISBURG

December 8, 1981

Nurzio Palladino, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 29555



Dear Mr. Chairman:

Two years ago the NRC pledged to the people of Central Pennsylvania that it would not permit the restart of TMI-1 without a full public hearing. I am writing you to let you know of my concern that your pledge be kept.

The concern stems from your October 28 memo to the other Commissioners. It appears that the NRC is preparing to decide on the reopening of Unit-1 before several critical issues are fully resolved within the NRC and the judicial process. These issues are psychological stress and operator cheating.

I am writing to request that the Commission commit itself now to the position that it will not decide the restart issue until these issues are resolved. I believe that to do otherwise would be to violate your pledge of a full consideration of the issues, and that even though the legal requirement may be lacking, the NRC's word must be kept. To do any less would severely damage your credibility with the people of this area, who need assurance that all the safety issues have been resolved before a decision on restart is made.

These issues are not trivial:

\* The Commission deadlocked 2-2 on the Psychological Stress issue. Both the Atomic Safety and Licensing Board and the Commonwealth of Pennsylvania recommended consideration of the issue. Moreover,

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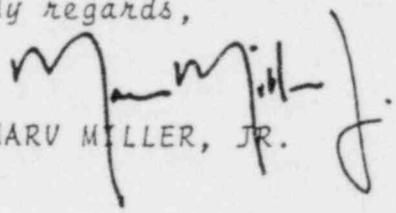
the NRC Staff dealt with Psych Stress as a significant issue in its Programmatic Environmental Impact Statement on the decontamination of TMI-2. Several medical studies have concluded that significant stress remains two years after the accident. PANE (People Against Nuclear Energy, a Middletown-based group) has argued before Federal District Court on November 17, with a decision expected between one and six months later.

\* Hearings on operator cheating began on November 10 and will continue during the month of November, with an ASLB decision expected in February. Inadequate training of operators was found to be a major factor in the TMI-2 accident. Further, the exam on which two operators were caught cheating happened to be on the "lessons learned" from the accident. It is clear that TMI-1 cannot be deemed safe to operate while the competence and integrity of its operators are in question.

Over the past two years, the NRC has been viewed by most residents as a cautious and fair arbiter of the TMI controversies. To cast a shadow on that reputation now, with the restart decision so close, would be unfortunate for the NRC and would increase the stress which many in the area already feel over the impending decision.

I await your response to this request in the hope that we can work together to ensure a full regulatory process and to maintain the public's trust in the fairness of the NRC.

My regards,

  
MARV MILLER, JR.