

MORRIS K. UDALL, ARIZ., CHAIRMAN

PHILLIP BURTON, CALIF.
 ROBERT W. KASTENMEIER, WIS.
 ABRAHAM KAZEN, JR., TEX.
 JONATHAN S. BINGHAM, N.Y.
 JOHN F. SEIBERLING, OHIO
 ANTONIO BORJA WON PAT, GUAM
 JIM SANTINI, NEV.
 JAMES WEAVER, OREG.
 GEORGE MILLER, CALIF.
 JAMES J. FLORIO, N.J.
 PHILIP R. SHARP, IND.
 EDWARD J. MARKEY, MASS.
 BALTASAR CORRADA, P.R.
 AUSTIN J. MURPHY, PA.
 NICK JOE RAHALL II, W. VA.
 BRUCE F. VENTO, MINN.
 JERRY MUCKABY, LA.
 JERRY M. PATTERSON, CALIF.
 RAY ROGOVSEK, COLO.
 PAT WILLIAMS, MONT.
 DALE E. KILDEE, MICH.
 TONY COELHO, CALIF.
 BEVERLY S. BYRON, MD.
 RON DE LUIGO, V.I.
 SAMUEL GEJDENSON, CONN.

MARCEL LUJAN, JR., N. MEX.
 DON H. ELAUSEN, CALIF.
 DON YOUNG, ALASKA
 ROBERT J. LAGOMARSINO, CALIF.
 DAN MARRIOTT, UTAH
 RON MARLENEE, MONT.
 RICHARD S. CHENEY, WYO.
 CHARLES PASHAYAN, JR., CALIF.
 DOUGLAS K. BEREUTER, NEBR.
 DAVID O'B. MARTIN, N.Y.
 LARRY CRAIG, IDAHO
 WILLIAM M. HENDON, N.C.
 HANK BROWN, COLO.
 DAVID MICHAEL STATON, W. VA.
 DENNY SMITH, OREG.
 JAMES V. HANSEN, UTAH

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
 U.S. HOUSE OF REPRESENTATIVES
 WASHINGTON, D.C. 20515

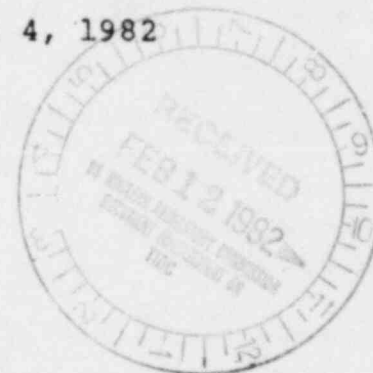
CHARLES CONKLIN
 STAFF DIRECTOR
 STANLEY SCOVILLE
 ASSOCIATE STAFF DIRECTOR
 AND COUNSEL
 LEE MC ELVAIN
 GENERAL COUNSEL
 TIMOTHY W. GLIDDEN
 REPUBLICAN COUNSEL

'82 FEB -8 A8:08

OFFICE OF SECRETARY
 DOCKETING & SERVICES
 BRANCH
camp

DOCKET NUMBER 50-289
 PROD. & UTIL. FAC.

February 4, 1982



The Honorable Nunzio Palladino
 Chairman
 United States Nuclear Regulatory Commission
 Washington, D.C. 20555

Dear Mr. Chairman:

I want to express deep dissatisfaction with the manner in which the Commission has handled one important aspect of the Three Mile Island accident. This concerns reporting failures that occurred on March 28, 1979. The initial inquiry conducted by the Office of Inspection and Enforcement (I&E) did not address the issue; the inquiry conducted by the NRC Special Inquiry Group was incomplete; and the most recent I&E investigation undertaken after my repeated urging was wholly inadequate.

You did not respond to my November 4, 1981 request for an explanation of I&E's failure to conduct a comprehensive inquiry with regard to reporting of information to State officials. Recently we have observed the sorry spectacle of high level Commission staff seeking to make a distinction between "knowingly" and "willfully" withholding information required to be reported by NRC regulations, a distinction that appears acceptable to a Commission majority.

This history does little to inspire confidence in the Commission's ability to confront situations involving an apparent willful violation of its regulations.

For my part, I do not accept your staff's tortured distinctions between "knowingly" and "willfully." Notwithstanding the fundamentally flawed character of the NRC investigations, the record is such that a fair reading of it leads to the conclusion that significant information was willfully withheld from State and Federal officials on the first day of the accident at Three Mile Island.

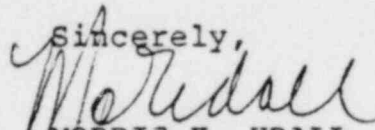
DS03
 5
 1/10

February 4, 1982

If I believed that continuation of our dialogue on this matter would lead to a satisfactory resolution, I would continue to press for a response, particularly to the question as to whether the Commission believes that persons, who acted as stated in the conclusions of the House Interior Committee staff report, did willfully violate the Commission's regulations. But given the Commission's apparent determination to avoid confronting the issue directly, I have concluded that further requests for a clear resolution are destined to result only in more obfuscation.

Finally, your inaction on this matter has done more than to raise questions about the Commission's credibility. Your response to this serious violation of NRC regulations conveys to your staff the notion that circumstances exist where the interest of the greater good dictates avoidance of findings that would force administrative actions that imply commission of a criminal act. Moreover, in permitting staff to conceal a problem with obfuscatory language and with words having meanings different from those in common usage, you set a poor example for your licensees.

Sincerely,



MORRIS K. UDALL
Chairman