

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of )  
METROPOLITAN EDISON COMPANY ) Docket No. 50-289  
(Three Mile Island Nuclear ) (Restart)  
Station, Unit No. 1) )

TMIA'S RESPONSE TO LICENSEE'S MOTION WITH  
RESPECT TO PSYCHOLOGICAL HEALTH ISSUE

By Motion dated May 24, 1982, the Licensee moves the Commission to complete "as promptly as possible" a determination whether a supplemental environmental impact statement (SEIS) on psychological health effects of operating TMI-1 is required, and if so required, moves that the SEIS be completed without "trial type public hearings." Licensee also moves that the Commission set firm, early deadlines for determining if the SEIS is required and for completion of the draft SEIS, and urges that if an SEIS is required, "the Commission should conclude that the potential psychological health effects associated with potential delay of TMI-2 clean-up greatly outweigh the potential psychological health effects of restart of TMI-1." TMIA urges the Commission to deny this extraordinarily presumptuous Motion. It is quite clear that if the Commission adopts the suggestions of the Licensee, the agency will be in blatant violation of NEPA's requirement that it act in good faith, and the Atomic Energy Act's requirement that it protect the public health and safety.

The Licensee urges that the Commission set deadlines for completion of their decision-making responsibilities, suggesting June 15, 1982

for a determination whether an SEIS is needed, and July 15, 1982 for completion of a draft SFIS. Obviously, if adopted, these would be extremely short deadlines particularly considering the unique nature of the NEPA issues involved. But also, the Commissioners should be aware that whether or not such deadlines appear reasonable to them, they are not perceived as such by area residents. In fact, when such short deadlines were discussed by the Staff at the scoping meeting held with Newberrytown citizens and TMIA members, the meeting attendees became extremely upset. The general feeling was that the Staff was more interested in placating the Licensee by meeting short deadlines than in doing a thorough environmental assessment (EA). This perception visibly increased anxiety and certainly added to the high levels of mental and emotional distress already felt by those attending the meeting. The Commission must realize that its actions in this case directly impact upon the psychological health effects which it is examining, and should be extremely cautious not to do things which exacerbate the feelings of distrust already felt by area residents.

TMIA does not object to a prompt completion of the EA or SEIS, but maintains that the Commission's first priority under NEPA must be thoroughness and accuracy, particularly if the Commission is concerned about unnecessary delay. Nothing will produce more extended delays than a court challenge to the EA or the SEIS resulting in a court order to redo either document. Thus, it certainly appears to be in both the Licensee's and the NRC's interest for the Commission to aim solely towards thoroughness and accuracy in preparation of these documents, however long it may take.

The Licensee further states "formal trial-type public hearings would add nothing of value to the Commission's decision-making process

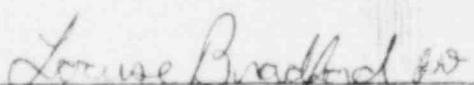
commensurate with the impact of delay." This statement is so presumptuous and outrageous that it deserves little comment. Suffice it to say that neither the utility nor the Commission have any idea at this point what value a public hearing could have in assisting in preparation of an SEIS. Actually, it will likely have tremendous value given the nature of the psychological health issue. But certainly the Commission must not make such decisions until the EA is completed.

The Licensee also states that "the Commission should conclude that the potential delay of TMI-2 clean-up greatly outweighs the potential psychological health effects of restart of TMI-1." This is an incredible statement. TMIA wonders whether the Licensee is unaware of, or merely consciously ignores the fact that voters in the three counties surrounding TMI recently voted 2 to 1 against the restart of TMI-1. While the desire to get TMI-2 cleaned-up is certainly strong, the sentiment against restart is overwhelming. In the face of this referendum vote, and lack of a supportable basis for the Licensee's position, the Commission would be plainly acting in bad faith by adopting such a "conclusion."

TMIA does not agree with the Licensee's characterization of the TMI-1 restart case as "extraordinary." However, even if true, this would not relieve the Commission of its obligation to comply with the law. Licensee's Motion should be denied, and its urgings should be rejected.

Respectfully submitted,

Dated: June 3, 1982

  
Louise Bradford, TMIA

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of	)	
	)	
METROPOLITAN EDISON COMPANY	)	Docket No. 50-289
	)	(Restart)
(Three Mile Island Nuclear	)	
Station, Unit No. 1)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "TMIA's Response to Licensee's Motion with Respect to Psychological Health Issue", dated June 3, 1982 was served upon those persons on the attached ServiceList by deposit in the United States mail, postage prepaid, or as indicated by asterisk, by had this 7th day of June, 1982.

*Louise Bradford*  
Louise Bradford

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

METROPOLITAN EDISON COMPANY,  
(Three Mile Island Nuclear  
Station, Unit No. 1)

)  
)  
)  
)

Docket No. 50-289  
(Restart)

SERVICE LIST

- \* Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

- \* Ivan W. Smith, Esquire, Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Walter H. Jordan  
Atomic Safety and Licensing Board Panel  
881 West Outer Drive  
Oak Ridge, Tennessee 37830

Dr. Linda W. Little  
Atomic Safety and Licensing Board Panel  
5000 Hermitage Drive  
Raleigh, North Carolina 27612

- \* George F. Trowbridge, Esquire  
Shaw, Pittman, Potts & Trowbridge  
1800 M Street, N.W.  
Washington, D.C. 20006

- \* James A. Tourtellotte, Esquire  
Office of the Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

- \* Ellyn R. Weiss  
Harmon & Weiss  
1725 Eye Street, N.W., Suite 506  
Washington, D.C. 20006

- \* William S. Jordan, III, Esq.  
Harmon & Weiss  
1725 I St. N.W., Suite 506  
Washington, D.C. 20555

Ms. Marjorie M. Aamodt  
R.D. #5  
Coatesville, Pennsylvania 19320

Ms. Gail Bradford  
Anti-Nuclear Group Representing York  
245 West Philadelphia Street  
York, Pennsylvania 17404

Dr. Chauncey Kepford & Judith Johnsrud  
Environmental Coalition on Nuclear Power  
433 Orlando Avenue  
State College, Pennsylvania 16801

Mr. Steven C. Sholly  
Union of Concerned Scientists  
1346 Connecticut Avenue, N.W.  
Dupont Circle Building, Suite 1101  
Washington, D.C. 20036

Robert W. Adler, Esq.  
Assistant Attorney General  
505 Executive House  
P.O. Box 2357  
Harrisburg, PA 17120

Jordan D. Cunningham, Esquire  
Attorney for Newberry Township  
T.M.I. Steering Committee  
2320 North Second Street  
Harrisburg, Pennsylvania 17110

- \* Nunzio J. Palladino, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555
- \* Victor Gilinsky, Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555
- \* James K. Asselstine, Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555
- \* John F. Ahearne, Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C.
- \* Thomas Roberts, Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555
- \* Administrative Judge Gary J. Edles  
Chairman, ASLAB  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555
- \* Administrative Judge John H. Buck  
ASLAB  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555