



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

March 28, 1983

OFFICE OF THE  
COMMISSIONER

MEMORANDUM FOR: Ben Hayes, Director  
Office of Investigations

FROM: Thomas M. Roberts *TMR*

SUBJECT: GAP ALLEGATIONS CONCERNING TMI CLEAN-UP

This memorandum is written for the purpose of confirming the request made of you by telephone on Friday that you provide the Commission with a list of those investigations which will be affected, either by deferral or otherwise, by OI's establishment of a task force to investigate GAP's allegations. I would like to receive this information as soon as it is available.

cc: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Ahearne  
Commissioners Asselstine

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# Pennsylvania Congressional Delegation

JOSEPH M. GAYDOS M.C. Chairman  
GUS YATRON M.C.  
JOHN P. MURTHA M.C.  
JOSEPH M. McDADE M.C.  
R. LAWRENCE COUGHLIN M.C.  
STEERING COMMITTEE

2186 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-1145

November 19, 1985

Honorable John Herrington  
Secretary of Energy  
Department of Energy  
Forrestal Building  
1000 Independence Ave., SW  
Washington, D.C. 20585

Dear Mr. Herrington:

The cleanup of the damaged Unit II reactor at Three Mile Island is unprecedented in breadth and scope and is of paramount importance to the continued well-being of the citizens of central Pennsylvania. It is the first decontamination of a large, commercial nuclear power plant, and since the accident occurred six years ago, the federal government has played an integral part in that cleanup effort. Therefore, we are quite concerned about the proposal currently under review to decrease the federal funding for research and development activities which are vital, in our opinion, to ensuring the safe isolation and disposal of certain radioactive waste material at TMI, and the full understanding of the accident and means for preventing similar incidents in the future.

It is our understanding that a proposal has been put forth by your Department to the Office of Management and Budget calling for a drastic reduction in R & D funding in fiscal year 1987. We must stress that the Reagan Administration made a funding commitment to the people of Pennsylvania in 1981 to assist in the TMI cleanup program, which we believe has significant R & D benefits to the entire nuclear and electric industry. The R & D program is aimed at achieving a thorough understanding of the accident at TMI, thereby contributing to further enhancement and information retrieval relating to the operation, maintenance and safety of nuclear reactors. The cleanup effort is progressing on schedule and thus, news of DOE's plan to decrease the level of R & D funding could not come at a more inopportune time as the critical stages of the cleanup are upon us.

The federal government's involvement in the cleanup effort is a major ingredient of the cost-sharing plan initiated by Pennsylvania Governor Dick Thornburgh. Under that plan, the utility industry, the States of New Jersey and Pennsylvania, the owner of TMI - General Public Utilities, and the federal government all share an interest in assisting with the cleanup.

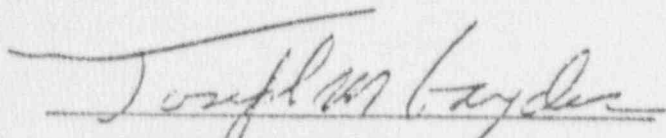
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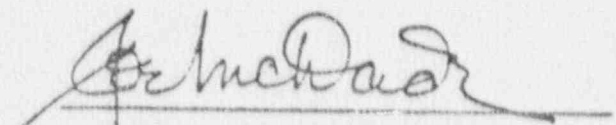
CONGRESSMAN FOGLIETTA  
IS SENDING A LETTER OF  
ENDORSEMENT

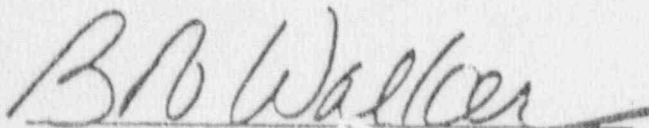
Because the federal government can bring certain unique experiences to bear, and to the extent that it can support research of benefit to the nation as a whole, President Reagan approved a request to the Congress for \$37 million in fiscal year 1982 for DOE's R & D activities at TMI. We were led to believe that the funding commitment which commenced in 1982 would be the beginning of an effort that would continue until the cleanup was completed. The Administration's support of a funding proposal for DOE's multi-year involvement included an R & D segment expected to total approximately \$83 million. Thus far, the federal government has contributed \$50.5 million to that effort.

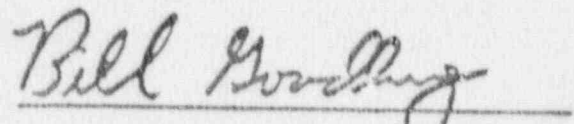
The struggle to clean up the damaged reactor at TMI has been a long and arduous process. We expect the Department to live up to its commitment, and we would greatly appreciate a reconsideration of the budget proposal you have submitted for R & D funding for fiscal year 1987.

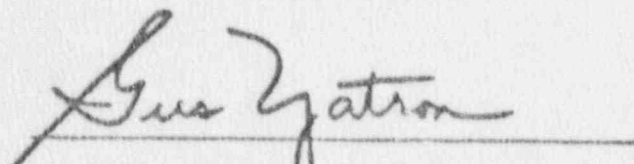
Sincerely yours,

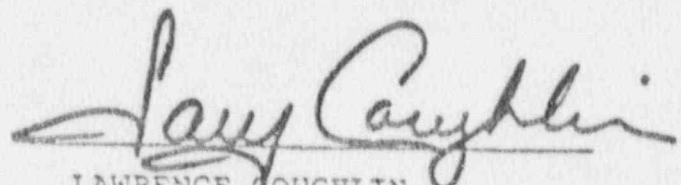
  
JOSEPH M. CAYDOS

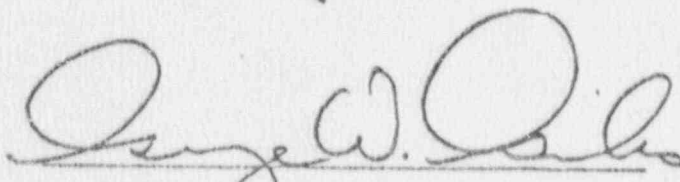
  
JOSEPH M. MCDANE

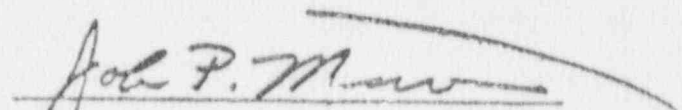
  
ROBERT S. WALKER

  
WILLIAM F. GOODLING

  
GUS YATRON

  
LAWRENCE COUGHLIN

  
GEORGE W. GEKAS

  
JOHN P. MURTHA

*Don Ritter*

DON RITTER

*Bill Clinger*

WILLIAM F. CLINGER

*Bob Edgar*

ROBERT W. EDGAR

*Joe Kolter*

JOSEPH P. KOLTER

*Dick Schabe*

RICHARD T. SCHABE

*Peter H. Kostmayer*

PETER H. KOSTMAYER

*Austin J. Murphy*

AUSTIN J. MURPHY

*Doug Walgren*

DOUG WALGREN

*Tom Ridge*

THOMAS J. RIDGE

*John Heinz*

JOHN HEINZ

*Bob Borski*

ROBERT A. BORSKI

*Arlen Specter* (11/25/85)

ARLEN SPECTER

*William H. Gray III*

WILLIAM H. GRAY III

*William V. Coyne*

WILLIAM V. COYNE

*Bud Shuster*

BUD SHUSTER

David DeKok  
113 Conoy Street  
Harrisburg, Pa. 17104  
May 7, 1990

Director  
Division of Freedom of Information  
and Publications Services  
Office of Administration and Resources Management  
Nuclear Regulatory Commission  
Washington, D.C. 20555

FREEDOM OF INFORMATION  
ACT REQUEST

FOIA-90-227  
REC 45-15-90

Re: Freedom of Information request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, I would like copies of all documents in NRC files pertaining to the funding agreement for the clean-up and defueling of the damaged Unit 2 reactor at the Three Mile Island nuclear plant.

This agreement was proposed in July 1980 by then-Gov. Dick Thornburgh of Pennsylvania and subsequently negotiated among the NRC, Department of Energy, Department of Justice, the White House, and General Public Utilities, owner of the TMI plant.

Pursuant to the Freedom of Information, I request both representative of the news media status, a category also open to established freelance writers, and a public interest waiver of all search and copying fees. I will now provide the information requested of waiver applicants in 10 CFR 9.41(b)(c) & (d).

(1) Describe the purpose for which the requester intends to use the requested information.

The documents will be used in preparation of a definitive history of the Three Mile Island nuclear accident and its impact on the world.

(2) Explain the extent to which the requester will extract and analyze the substantive content of the agency record.

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I will provide a great deal of analysis to the information in the documents I obtain from the NRC. I will match it with information I obtain from other sources, like personal interviews, and use all that information to write a comprehensive, truthful and objective book that will: (1) tell the history of the commercial nuclear industry before TMI; (2) what happened during the TMI accident in 1979, (3) what happened during the 10 years after TMI (such as the clean-up at TMI, the financial problems of the nuclear industry, etc.); and (4) look at the future of nuclear power in light of concerns over global warming.

(3) Describe the nature of the specific activity or research in which the agency records will be used and the specific qualifications the requester possesses to utilize information for the intended use in such a way that it will contribute to public understanding.

I plan to use the NRC records to write a definitive history for the general public of the Three Mile Island nuclear accident of 1979 and its impact on the world. The book will describe the events leading to the accident, the accident itself, what happened at TMI and to the nuclear industry in the 10 years that followed, and what the future might hold for nuclear power in light of concerns over global warming.

I have considerable experience in making complex scientific or technical stories accessible and interesting to the general public. My first book, *Unseen Danger: A Tragedy of People, Government and the Centralia Mine Fire* (University of Pennsylvania Press 1986), required me to make a complex geological problem understandable to people who were not, in most cases, geologists or scientists. The reviews my book received, one of which is included, testify to my success in carrying that out.

I covered the nuclear energy beat for an area newspaper for about two years, and acquired a working knowledge of nuclear terminology and procedures. If there was something I did not understand about something I had read, I would call an expert who could help me. I would do the same if there was something I did not understand in the documents I seek in this FOIA request.

4. Describe the likely impact on the public's understanding of the subject as compared to the level of understanding existing prior to disclosure.

No comprehensive, definitive history has been written of the TMI accident that includes all the important events that preceded it and what happened to GPU and the nuclear industry in the years that followed.

My book will be more than just a simple retelling of the TMI accident. I will place the accident in the context of the rise and (perhaps) fall of commercial nuclear power in the U.S. and world.

I intend for my book to be the one people pick up at the library in years to come when they want to know the who-what-why-when-and-where of one of the more significant technical, business and historic events of the late 20th century. It will distill the important information from the tens of thousands of government documents pertaining to TMI issued between 1968 and 1991 (or 1992), technical papers written by scientists, and the many other sources of information into one good book.

(5) Describe the size and nature of the the public to whose understanding a contribution will be made.

This book is being written for the general reading public--the average man or woman who does not work for the NRC or the Department of Energy or the nuclear industry and who typically would only receive information about TMI from a book acquired at a library or bookstore. I would estimate this to be quite a large, diverse group.

(6) Describe the intended means of dissemination to the public.

A book.

(7) Indicate if public access to information will be provided free of charge or provided for an access fee or publication fee.

Readers will be able to borrow the book free of charge at public libraries.

(8) Describe any commercial or private interest the requester or any other party has in the agency records sought.

I have no commercial or private interest in the NRC documents sought in this request. They will be used exclusively for research for my book and will not be sold.

(d)(1) How the subject of the requested agency records concerns the operations or activities of the Government.

It has been the duty of the NRC to regulate the US nuclear industry, and to make sure that utilities take proper steps after accidents. These documents relate directly to regulatory actions taken by the NRC after the worst US nuclear accident.

(d)(2) How the disclosure of the information is likely to contribute to an understanding of Government operations or activities.

The documents will be used in a book about the TMI accident and its impact on the world. Readers of the book will come to understand the role of the NRC in supervising the US nuclear industry.

(d)(3) If disclosure of the requested information is likely to contribute to public understanding.

To the best of my knowledge, no definitive history has been written about the TMI accident, and none of the books written about TMI say anything about the events that followed it. The documents I requested will enable me to describe the unique funding arrangement of the TMI clean-up, and especially the policy debates that preceded it, in better detail than has previously been available to the public.

(d)(4) If disclosure is likely to contribute significantly to public understanding of Government operations or activities.

The documents will contribute significantly to a general public understanding of the role of the NRC in regulating nuclear power, and of how the federal government and nuclear industry responded to the worst US commercial nuclear accident. My book will either be considered a post-mortem on the nuclear industry or a history of its first stage. In either case, the TMI accident and the events which preceded and followed it will educate the public on the necessity of safety, and of what can happen when nuclear safety fails. And if nuclear power gets a new lease on life because of global warming, my book will be seen as a primer of mistakes to avoid the second time around.

(d)(5) If, and the extent to which, the requester has a commercial interest that would be furthered by the disclosure of the requested agency records.



I anticipate receiving royalties on the book, perhaps in four or five years. However, there is no guarantee I will make any profit on the book. It is often said that most authors would make more money by spending the same amount of time working in a fast food restaurant. My first book, *Unseen Danger*, received favorable reviews, including in The New York Times, was purchased for many libraries, and earned me enough royalties to buy a nice coat, which I still have. I hope this book will do better, but one can never tell.

(d)(6) If the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

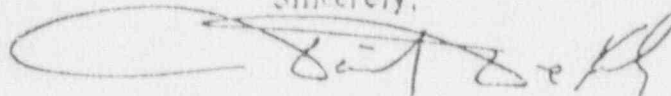
As I have stated, the documents will be used in a definitive history of the TMI accident and its impact on the world. I anticipate receiving royalties, but I believe the public interest in disclosure of the documents clearly outweighs any minimal commercial benefit to myself.

The public has an especially significant interest in this issue because of the global warming problem. Nuclear power production emits only a tiny fraction of the carbon dioxide emitted by a conventional power plant burning fossil fuels. TMI and the nuclear safety issue remains a roadblock in the public mind to greater use of nuclear power, however, and unless the public is given all the facts, about issues great and small, it cannot make an informed decision.

If any of the requested documents are already in the public document room, please ensure (and let me know) that they are also in the local public document room in Harrisburg.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David DeKok". The signature is fluid and cursive, with a large loop at the beginning and a long tail extending to the right.

David DeKok

