

January 11, 1982

To Bill Diroks, Norman Haller  
From Henry Myers

The following comments refer to statements made at the December 21, 1981 Commission meeting concerning information flow during the TMI accident.

Mr. Stello said:

"I indicated in the memorandum that I sent to you that I believed the conclusions of the House report and the I&E conclusions are in fact consistent and we are in substantive agreement with them."

(Tr., p. 5., underline added.)

"And I did not agree to the conclusions until they were changed in such a way that I felt that they represented what I thought was a correct characterization of what happened to the flow of information."

(Tr. , p. 6.)

"I do not believe that, based on everything that I have seen that I can come to the judgement that 'information was intentionally withheld' by the TMI managers. That conclusion does not now appear in the final (House Interior Committee Staff) Report, and I recognize others who might read that might read the intent in it. I do not, because I was a party to the words as they are now written and therefore I read them the way I intended to when I discussed this with Dr. Myers."

(Tr., p. 7 - 8.)

The word "intent" was dropped from the draft of the House Interior Committee Staff Report in part because we were seeking to use words in our conclusion that would be subject to as little dispute as possible. We believed then and now that the House Interior Committee Staff Report conclusions as they appear in the final report are an accurate statement of what happened on March 28, 1979. We believed in January 1981 and we believe now that it was not necessary to use the word "intent" which might be construed in various ways. The conclusion as it stands says what we meant when we used the word "intent" in describing the reporting situation at TMI on March 28, 1979; i.e., we believed then and now that information was intentionally withheld. Note,

Statements made by others concerning this matter are summarized in the attached letter from Chairman Udall to Dr. Moeller. These statements are worth reading. When Mr. Stello says that he knows of no other investigations that have come to the conclusion in writing that information was intentionally withheld, does he mean that he knows of investigators who believe in their minds (although they did not so indicate in writing) that information was intentionally withheld?

Mr. Stello appeared to indicate that information was "knowingly" withheld if the word "knowingly" did not imply "intent." Did Mr. Stello in fact mean to say that to knowingly withhold information does not imply intent? If a person has an obligation to report fully on what is going on and that person does not report information which that person understands to be relevant to what is going on, how do you explain the withholding of information other than having been a conscious, intentional decision to withhold?

On December 21, Mr. Stello engaged in the following dialogue with Commissioner Gilinsky with regard to whether Mr. Stello believed Met-Ed employees had not been forthright with State officials.

Commissioner Gilinsky: I take it if you accept the House Committee report that you're concluding the company did not level with the State?

Mr. Stello: I don't know why I need to use the House Committee report when your own report of your staff reached the same conclusion, that they were not fully forthcoming, that at times during the day they should have picked up the phone and let certainly the State of Pennsylvania know that there was considerable uncertainty concerning the adequacy of core cooling and the seriousness of the accident....

(Tr., p. 12.)

The foregoing is an admission that the TMI managers did not fulfill the Emergency Plan reporting requirements to "...provide maximum assistance and information possible to the various [State and Federal] off-site groups...." and to provide information on the status of "consequence mitigation features," the "possible need for protective action," and the status of the plant. "Maximum information" was clearly not provided to State and Federal officials. Incomplete information was provided with regard to "consequence mitigating features and the possible need for protective action." And the status of the plant was not clearly conveyed; i.e. that the plant was not in any of the categories specified in Section 3 (Subsection 2.5) of the Three Mile Island Emergency Plan, and the actual status of the plant was not fully and accurately described to the State or the NRC in the course of discussion between plant managers and State and Federal officials.

In discussion on pages 13 and 14 Mr. Stello appears to be saying that information was held back but not intentionally so. If information was not intentionally held back, was it unintentionally held back?

On page 14, Mr. Stello states:

"I think they were aware they weren't transmitting that the accident was more serious, yes."

What does the foregoing mean other than intentional withholding of information?

On page 15, the following exchange is recorded:

Commissioner Gilinsky: They conveyed the impression the accident was substantially less severe and the situation more under control than the managers themselves believed.

Mr. Stello: That's exactly the conclusion we came to in our report.

Again, what does the foregoing mean other than that Mr. Stello believes that information was intentionally or willfully withheld?

On page 17, Mr. Stello is reported as having said that "not fully forthcoming" meant "misleading" to him. Websters New Collegiate Dictionary says that "to mislead" is, "to lead in a wrong direction or into a mistaken action or belief often by deliberate deceit." The single synonym given for "mislead" is "deceive."

On page 19, the following exchange is recorded:

Commissioner Gilinsky: And I took you to be saying that they had not shared this information with the state and were aware they had not. Am I wrong?

Mr. Stello: That's conclusion four of our report.

What does Mr. Stello mean in the foregoing exchange if not that information was intentionally or willfully withheld?

On page 20, Mr. Stello states they (the TMI managers) should have told the state that the accident was serious. What is the explanation for their not having done so?

On page 20, Mr. Stello says that they (the TMI managers) reported as to actions taken in the plant. This statement obscures the fact that the plant managers did not report fully on what they were doing; the managers' reports omitted important information such as temperature data, that a LOCA had been in progress for some 2 hours and twenty minutes during which time the operators were unaware of it, and that high pressure injection had been throttled during this period. Lacking such information, State and Federal officials were unable to accurately assessing plant conditions.

Mr. Stello also states on pages 21 that he knew the core was uncovered on the basis of the information he had received. As far as we know, however, he did not know the extent of core uncovering, the fact that a LOCA had been in progress for more than two hours during which time the operators were unaware of it, that high pressure injection had been throttled during this time, and that temperatures in excess of 2000 degrees had been measured above the core. The basis for believing that the severity of the accident was greatly underestimated on March 28 by Mr. Stello and the NRC is Chairman Hendrie's testimony to the House Interior Committee on March 29 when he said, "perhaps up to 1% of the fuel in the core might have been involved in the cladding cracks."

On page 22, the following exchange is recorded:

Commissioner Gilinsky: But they knew they were beyond their training, beyond their experience, beyond the written procedures. They had reports of core temperatures in the thousands of degrees. They then communicated with the state and the state put out a statement, everything is under control, there is and was no danger.

Mr. Stello: I agree with everything you said, when you start the preamble, putting intent aside.

How can one agree with Gilinsky's statement but infer that something other than "intent" is conveyed by that statement?

On pages 23 - 24, Mr. Stello says that before the plant managers left for their meeting with Lt. Governor Scranton at approximately 2:00 P.M., they had gotten "a rather cheerful sign" including, among other things, indications that the temperatures were coming down and, furthermore, they thought they had a mode of cooling that was stable. Station manager Gary Miller's assessment of the situation during the period prior to his leaving for the Lt. Governor's office is contained in the attached statement prepared by Mr. Miller and dated May 7, 1979. Also attached are excerpts from the September 5, 1980 I&E interview with Mr. Miller wherein discussion occurs as to information passed on to the State during the March 28 afternoon meeting in the Lt. Governor's office. The reader may judge whether the plant managers had in fact concluded they were approaching a stable cooling mode at approximately 2:00 P.M. Any assessment made prior to leaving for the Lt. Governor's office would have been made shortly after the hydrogen detonation. This is approximately the time at which Shift Supervisor Chwastyk recalled to investigators that on the basis of the symptoms of the hydrogen detonation he had persuaded Station Manager Gary Miller to approve a change from a depressurization to a repressurization strategy. (See House Interior Committee Staff Report, p.66 - 68.) In view of this record, what is Mr. Stello's basis for saying that the plant managers thought they had a mode of cooling that was getting to be stable at the very hour (2:00 P.M. - 3:00 P.M.) they were changing from one procedure that was not working to another that they hoped (but could not be certain) would bring the plant to a stable condition?

On page 28, Mr. Stello suggests that the reporting failure resulted from there not having been a system for putting the available information together. How is this suggestion supposed to jibe with the existence of the Command Team described by Mr. Miller; e.g. see House Interior Committee Staff Report, p. 4 - 5? Note also statements in House Interior Committee Staff Report indicating that Miller had been told about the stuck open PORV, that he personally was aware of the high temperatures above the core and in the hot legs, that he was aware of uncertainties regarding the adequacy of core cooling, and that he knew they were in a condition not encompassed by the emergency procedures.