

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



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

FINAL AMENDED CONTENTIONS OF
NEWBERRY TOWNSHIP TMI STEERING COMMITTEE, ET AL.

The Newberry Township TMI Steering Committee and various petitioners contend that neither the short or long term measures recommended by the Director of Nuclear Reactor Regulation are sufficient to provide reasonable assurance that the Three Mile Island Unit No. 1 facility can be operated without endangering the health and safety of the public and that the following contention must be satisfactorily resolved prior to the resumption of operations. Therefore, contention number three is hereby amended to read as follows:

CONTENTION NUMBER 3

Evacuation planning done by Metropolitan Edison and the Nuclear Regulatory Commission is inadequate to assure the safety of the public, particularly those persons who live within a five-mile radius of the plant. Operation of TMI Unit No. 1 should not be resumed until a plan is in place for the evacuation of the public in the maximum area which could be affected by the Accident and the plan submitted by Metropolitan Edison Company is deficient as follows:

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(a) Metropolitan Edison Company emergency plan for Three Mile Island Nuclear Station Unit No. 1, sections 1 and 2, as follows:

(1) Section 1.21, the definition of emergency planning zone is too narrow in definition in that radioactive plumes can travel more than ten miles and it is questionable why the emergency planning zone is limited to an area ten miles in radius around the TMI Nuclear Station.

(2) The definition of low population zone located at Section 1.27 of the emergency plan is an inadequate definition of a low population zone. Newberry Township, York County, Pennsylvania, is a continuous township to the Three Mile Island location and in that township, there are 8500 residents, which residents are located on farms and subdivisions of considerable density. Therefore, low population zone, as defined, is an improper and inadequate measure.

(3) Section 2.2 of the Metropolitan Edison Company's emergency plan states that the TMI Nuclear Station is located in an area of low population density. However, it is intervenor's contention that classification of the area of Newberry Township being a low population density is inadequate and inaccurate. The Kemeny Commission's report to the President of the United States recently stated that in citing of a nuclear power station, consideration must be given to the overall and specific population density factors. Each township surrounding the Three Mile Island Nuclear Power Station, which is located within ten miles

of a radius of the station, which townships it is submitted are undergoing change in that subdivisions are being created and that pockets of high density areas exist.

(4) Section 2.1.3 of Metropolitan Edison's emergency plan bases all population figures that are ten years old. It is intervenor's contention that since 1970, the demographics of Newberry Township and other surrounding communities has dramatically changed and that consideration must be given to the changes in population density. Moreover, it is intervenor's contention that, if it is Metropolitan Edison Company's position that the 1970 census substantiates its position that the low population density criteria is met, it is intervenor's contention that such information is outdated and that consideration should be given again to the issue of whether the 1980 census reflects a similar low population density zone.

(5) The intervenors contend that Section 2.2.3 of the Metropolitan Edison Company's emergency plan relating to County and State plans is inadequate. Intervenors have reviewed the emergency plans of both Dauphin and York County and the criticisms and deficiencies of those plans are set forth below as follows:

(b) York County Evacuation Plan for the Three Mile Island Nuclear Power Plant.

(1) Page 3, subsection 5 of the York County Plan presumes a population figure based upon estimates and must be updated with the 1980 federal census totals.

(2) Page 3, subsection 6(a) states that the decision has been made to provide temporary shelter for citizens requiring public shelter within York County, outside of the 12-mile radius; however, such a decision may require citizens to remain within the geographic confines of a political subdivision may endangers the lives of the citizens depending on wind direction at the time of the accident.

(3) Page 4, section 7, of the Plan provides that County school buses will be provided to those without means of transportation, and refers to Annex VII as a detailed transportation plan; however, the plan is sketchy, incomplete and totally unworkable, expecially within the five hour plan set forth therein. A more complete discussion of the deficiencies of Annex VII is included hereinafter.

(4) Annex, section 3, of the York County Plan regarding direction and control states that the emergency operating center includes the 911 emergency telephone number and services for all of York County except a small area surrounding Lewisberry, which works to the detriment and prejudice of Newberry Township residents in that Newberry Township, Goldsboro, and Fairview Township have to call long distance to reach York and the York County Court House wherein the York County emergency operation center is located. As was experienced during the Accident in March, the telephone grid system is so overloaded during such an emergency that making a long distance phone call to the York County Court House is difficult, if not impossible.

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(5) Annex II(b), section 2, regarding warnings is deficient in that the attention-alert signals of the Civil Defense sirens is a totally inadequate and inoperable system of warning at the present time. It is intervenor's position that the Civil Defense siren system is a fatal flaw of the entire warning system. Newberry Township contains 31 square miles of basically rural area with some subdivisions and trailer parks and contains one Civil Defense siren. Wind directions and other climatic circumstances determine how many of the 8500 residents will be awakened by or alerted by the single Civil Defense siren. In essence, the intervenor's position is, that until and unless sufficient Civil Defense sirens are placed throughout Newberry Township and other surrounding townships to insure that all citizens are in a position to hear the attention alert siren system, the plan as submitted by the various counties is inadequate.

(6) Annex II(b), subsection 3 regarding warnings states that as a backup to the Civil Defense siren system, police and fire vehicles with loud speakers will be dispatched into the effective areas to warn citizens, however, Newberry Township, just one of the surrounding townships, has over 117 miles of roads and over 3,300 families within the confines of its borders. Within the time tolerances allowed in the event of an emergency such as a nuclear accident, it is submitted and it is intervenor's contention that there is no way in which police and fire personnel

would be able to cover the total area and mileage of road in order to insure that each citizen heard the warnings. Furthermore, there is no provision in the plan to guarantee that each community has a loud speaker system available to its use during such an emergency.

(7) Annex II, section B, subsection 4, of the York County Plan regarding warnings is deficient in that the public will be instructed to listen to their radios to receive emergency information and instruction, but, there is an erroneous assumption that the public will realize that there is an accident taking place and that there is no assurance that the public, if they cannot hear the single Civil Defense siren in Newberry Township or be contacted by emergency personnel, will be alerted to the fact to listen to their radios.

(8) Annex II, section A, subsection 2(d) of the plan indicates that the County Sheriff's Department will establish radio communications at location sites if an evacuation is ordered, however, it is not indicated that any of the sites mentioned have been prepared for the relocation of radio communications to those areas. It is intervenor's position that until the areas designated in the emergency plan are placed into an "emergency-ready" condition, that such provision in the plan is inadequate.

(9) Annex II, section A, subsection 2(e), of the York County Emergency Plan provides that if the emergency operation

center is evacuated to the Hanover Building, communication capabilities will be established; however, there is no indication that at this time trunk lines have been laid in preparation for the transfer of the emergency operation center to the Hanover location, and as such, it is a flaw in the emergency plan, rendering the plan inadequate.

(10) The map attached to Annex II, which is titled York County Warning System-Siren Locations, indicates two Civil Defense sirens located in Newberry Township, when in fact, there is only one siren located within the township, again pointing out the inadequacy of the plan.

(11) The table located in Annex IV-4 indicates that there will be a total of 23 school buses available for service. The inadequacy in this area of the plan is that Annex VII transportation lacks any coordination between the school districts and York County and the emergency operation center. No definite assignments are made and the five-hour plan admittedly cannot be accomplished if the schools were in session.

(12) Annex V of the Plan on page 1, Law Enforcement and Traffic Control, makes a blatant assumption that the Pennsylvania National Guard would be responsible for providing security for the evacuated area because it assumes that the Governor will, in such an evacuation, activate the National Guard and that all members of the activated National Guard would be willing to enter and secure an evacuated area. Because of the experiences of the

past, even the limited evacuation of pregnant women and children under five years of age left many of the areas surrounding the Three Mile Island Nuclear Power Station deserted and open to looting without proper security. The assumption that the National Guard would, in the event of an evacuation, be called up by the Governor, is one that is a void in the evacuation plan and thus the plan is inadequate in that what happens in the event the National Guard is not called up or does not respond to the Governor's request because its members are busily evacuating their own families.

(13) Annex VI of the Plan assumes that volunteer fireman will not stay on the job and that 40 National Guard men have been requested to augment the shortage of fireman, should that occur. It is intervenor's contention that the National Guard cannot be relied upon to provide fire protection in the event of an emergency for various reasons; among them, the first is that National Guard men may not have any experience in the fighting of fires and second, it is not clear that the issuance of radiation-proof equipment in sufficient quantity

to protect the National Guardsmen would be issued in the event of an evacuation. Therefore, it is asserted that in this aspect, the plan submitted by York County is inadequate.

(14) Annex VI, Appendix 1, subsection 3, indicates that when an emergency is declared by the Governor, the County of York will receive one platoon of 40 men from the military to

assist York County. It is also assumed that a monitoring crew will be provided to York County in order to assure the County that the area is safe or not safe. It is intervenor's position that this is inadequate in that no provision is given regarding where the monitoring crew and platoon of 40 men will come from. Furthermore, there is no explanation of their expertise or training for such an emergency. Finally, definitions for safe and unsafe areas must be included as part of the overall evacuation plan so volunteers may be forewarned as to the levels of danger which they will encounter.

(15) Annex VII, Transportation. The intervenors are of the opinion that this entire section of the Emergency Plan is a dismal pathetic failure in planning for an emergency situation. Annex VII of the Plan states that the Red Lion Bus Company will command and coordinate all evacuation transportation, however, there are no details to the overall plan, raising doubt to its actual existence. The Annex indicates that YATA shall have the duty of contacting Baltimore Transit System for additional vehicles; however, there are no details on the actual number of vehicles that may be needed, no destinations, no assignments, and "possibly perhaps no drivers". Annex VII continues by stating that most school districts have offered to help in the evacuation; but, the plan does not indicate which school districts have offered to help and which school districts have refused. In order for the plan to be effective, there must be a listing

of the cooperative and uncooperative school districts in the evacuation plan. Moreover, this portion of the plan indicates that the school districts have offered to place personnel at the switchboard in order to coordinate transportation within the district; however, it does not indicate whether that a designated person would remain at the switchboard regardless of the radiation levels or not, or whether in fact that person has been designated. Annex VII continues to state that if a five-hour emergency evacuation were ordered, the plan would require that each system's fleet report to a designated senior high school, from which it could be appropriately dispatched as needed; however, the five-hour plan being the most crucial of all plans leaves the least amount of time for making crucial decisions is not adequately outlined in the Annex VII. The drafters of Annex VII leave it simply to guess work how the buses will be used by simply stating as needed and there is no comprehensive plan for which an administrator could follow a set procedure in order to assure the best use of the school fleet system. Finally, Annex VII contains the most realistic admission contained in the total plan; that being that the drafters of the plan do not believe a five-hour plan could not be accomplished if schools were in session, which admission reveals that the York County Evacuation Plan is inoperable, unrealistic and hopeless for at least 180 days out of the total year.

(16) Annex VII, Table VII-1, Telephone Numbers of School District high schools, reflects another error in the plan in that the school district that serves district 1 in Newberry Township, plus Goldsboro, Lewisberry and Fairview Township, is not listed on the attached chart.

(17) Annex VII contains a chart that indicates that a total of 23 school buses and 28 YATA buses would be available for the evacuation of elderly homes; however, there is no provision or assignment in the plan as to which school bus would evacuate which old age home. Again, it is a lack of coordination and foresight in planning which would lead to the making of last minute decisions in a crisis situation, all of which is unacceptable.

(18) Annex VII, Appendix 3, contains evacuation routes, which routes are all south except where designated and is inadequate. All destinations listed on this page could prove to be fatal if the wind were blowing south at the time of the evacuation. The wind direction must be a factor in preparation of an effective evacuation plan. Contingency plans should be made with regard to evacuation routes based upon wind direction and atmospheric conditions existing at the time of the accident. Moreover, most of the roads listed in the plan are two lane and are incapable of holding traffic which would occur during an evacuation. Thus, it is submitted that in this respect, the emergency plan of York County is inadequate.

(19) Annex VIII of the plan indicates that news releases would be viewed and approved by County Commissioners and that all information to the press would be channeled through a public information officer. There is no way for this process to work properly under the stress of an emergency. Although it is agreed that news releases should be reviewed by one person for release, it is questionable whether the County Commissioners are the persons to whom that duty should be delegated. Moreover, Annex VIII, Page 9, instead of reading no pets would be allowed in the evacuation center, it indicates that pets would be allowed in the evacuation center, and this obviously could not be accommodated. This again is another example of the inadequateness of the plan submitted by York County.

(20) Annex IX, Appendix 1, purports to be a request filed by the York County Commissioners regarding the aid of the National Guard and paragraph 2 Fire Support indicates that the fire department personnel estimate only man power assistance required to provide fire support and that specific details with regard to location are, at the time of the request, not decided. It is curious that to become part of the emergency evacuation plan, specific details with regard to location would yet to be definitively decided. Again, this is an indication of the lack of diligent forethought being given to the evacuation plan, and thus, again, it is intervenor's position that it represents an inadequacy of the plan itself.

(21) Finally, as a general overall comment, the evacuation plan does not set forth an evacuation drill in order to detect deficiencies in the emergency plan. Mock evacuation drills should be conducted exactly according to the suggested evacuation plan. Fire drills are mandatory in schools, and provide a practical means to determine deficiencies in evacuation planning. It is submitted a mock evacuation drill will illustrate the weak points in the York County Evacuation Plan and such a mock drill should be included in the evacuation plan on some type of periodic basis.

(c) Dauphin County Emergency Response Plan. - The following deficiencies are found in the Dauphin County Emergency Response Plan and are as follows:

(1) The chain of command as set forth in the Dauphin County Emergency Response Plan is deficient in that the plan does not state who is in charge of the evacuation with regard to specific areas; the plan does not state who is in charge of emergency personnel once they have been withdrawn to a staging area. The plan does not list a second in command to the local Civil Defense directors and this raises the issue of whether there are second in commands to replace those who have somehow become disabled. How will they be contacted that they are in command, and if there is no second in command, who will assume the responsibility of the Civil Defense Director in his absences? All of these deficiencies make the Dauphin County Plan inadequate.

(2) The Dauphin County Emergency Response Plan does not specifically state one commonly recognized evacuation signal so that the citizenry through the County would recognize what type of an emergency alert was being broadcast. Moreover, the plan does not indicate whether the alarm system to be used would be driven by a regular power system and if the source was terminated, whether the system would still work. Such a deficiency renders the emergency response plan inadequate. Finally, it is questionable whether the placement of Civil Defense sirens or any other type of warning system which would uniformly be recognized by the citizenry as a warning to evacuate during a nuclear crisis would be within hearing distance of all citizens of Dauphin County. The intervenors find these to be deficiencies in the emergency response plan rendering the plan totally inadequate.

(3) The Dauphin County Emergency Response Plan provides for the use of various county, state and federal roadways for the evacuation of the citizenry, however, the plan does not specifically state how the following occurrences would be dealt with:

- (i) Accidents;
- (ii) Cars running out of gas;
- (iii) Generally disabled vehicles; and
- (iv) Individuals who need ambulance service for removal from accidents.

The plan does not state whether gas stations will be mandatorily required to be open in order to meet the demands of the evacuating public. Finally, the plan seems to assume that the best of all atmospheric and weather conditions. What would take place in the event of a snow storm; how would that effect the evacuation? What would be done in order to clear the roads? These are all questions that should have been considered and are necessary to be considered in a total evacuation plan.

(4) The Dauphin County plan envisions the incorporation of the use of buses in order to evacuate those citizens who do not have access to private transportation. The plan suggests that people assemble at corners and await transportation; however, the plan does not indicate what corners to await transportation, the police protection that would be afforded to those who waited for public transportation at those sites, and the plan envisions people being out of doors during what would be a potentially dangerous period of time when radioactive particulates would be in the atmosphere. The plan as it now stands does not consider these points and thus, is considered by the intervenors to be inadequate in this area.

(5) The Dauphin County plan envisions the use of CAT buses and school buses to evacuate commuters and school children from the affected area. This plan, while removing commuters and school children from the affected area, would strand many people without transportation. If the buses are used only for the

evacuation of commuters and school children, the result would be long delays in using the bus for the evacuation of many more people, all of whom had been waiting at a street corner for public transportation and all of whom had presumably been possibly exposed to radioactive particulate. If the buses are used simply to take commuters and school children home, this could possibly lead to the situation where commuters and school children are actually taken closer to the site of the nuclear incident instead of away from it, and would also cause long delays in the return of the bus from delivering the commuters to their appointed drop-off points. Moreover, the plan does not envision the method of notifying school and CAT bus drivers and assumes that all drivers will respond in an emergency situation. Moreover, it doesn't indicate anywhere that the CAT bus drivers will know what is expected of them in an emergency situation and know where they are going and how to get to the appointed emergency staging areas. This is a contingency that can be planned for in advance, should be specifically set out in a plan, and thus, the absence of such specificity in the plan renders the plan inadequate.

(6) The Dauphin County Plan envisions the use of 200 ambulances for the evacuation of bed-ridden citizens. The plan is inadequate in that only one township in the whole county conducted a survey of ambulance needs and in that one township, there was an estimated need of 63 ambulances and this survey

did not include the needs of Hershey Medical Center, which lies within that Township. Therefore, the plan is inadequate with regard to the number of ambulances needed in order to evacuate those who need ambulance service. Moreover, the plan does not indicate any contingency plans to enlist the aid of ambulances outside of Dauphin County that are not committed to responding to their own County needs during an evacuation. Finally, how long would it take ambulances outside the effected County to reach the scene in order to effect evacuation. Again, the plan, in its present state, is inadequate.

(7) As regards the evacuation of institutions, the Dauphin County Plan does not include any detailed evacuation procedures to be effected by the institutions within Dauphin County with the exception of the Dauphin County Prison. The plan simply calls for a reduction of staff prior to the evacuation. The plan does not state any receiving points for those persons who are moved out of the institutions. Generally, the plan is deficient in this area.

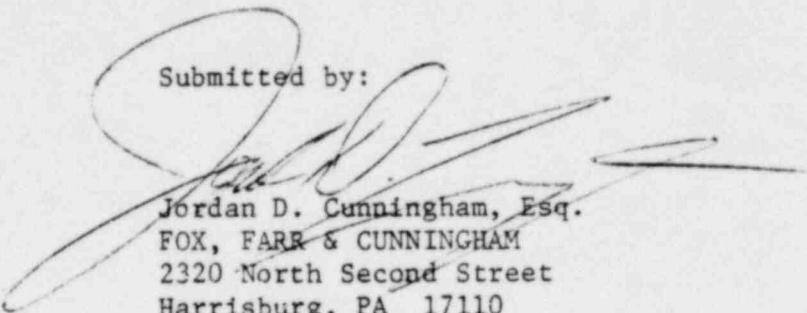
(8) The Dauphin County Plan provides for the removal of fire and police personnel from the evacuated area. However, the plan does not indicate the arrival of National Guard troops and/or state police forces to augment security forces that would be removed as part of the evacuation plan. Moreover, if the evacuation was precautionary in nature, the removal of emergency personnel could lead to disastrous consequences. Finally, and

most revealing, this plan, which is supposed to be in effect in Dauphin County, has not been distributed to emergency personnel or to the residents of the County. These deficiencies and shortcomings render the plan inadequate. The Dauphin County Emergency Plan is inadequate because it is not based on a weather dependent worst case analysis of the potential consequences of a core melt down with breach of containment. The plan assumes that all road conditions will be favorable and that wind direction will be favorable with regard to the direction in which the mass public is sent for evacuation. Therefore, the plan as presently stated is inadequate.

(9) The Dauphin County Plan as it is now set indicates an estimate from the City of Harrisburg, that if given 48 hours notice of evacuation, total evacuation would take between 10 and 20 hours and could not possibly be evacuated within a five hour period. Moreover, the plan does not indicate how long an evacuation outside of a 20-mile radius of the Three Mile Island Nuclear generating station would take. Finally, the Dauphin County Plan does not indicate whether it has been integrated with any of the surrounding county plans and therefore, the evacuation not integrated and performed in stages, the people closest to the effected area may be effectively stopped from leaving the area because of traffic congestion caused by people who live further away from the

effected area attempting to evacuate prior to being told to do
so.

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DATED: December 21, 1979

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of :
METROPOLITAN EDISON COMPANY, : Docket No. 50-289
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CERTIFICATE OF SERVICE

I Hereby certify that a copy of Amended Contention Number 3 was
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the following:

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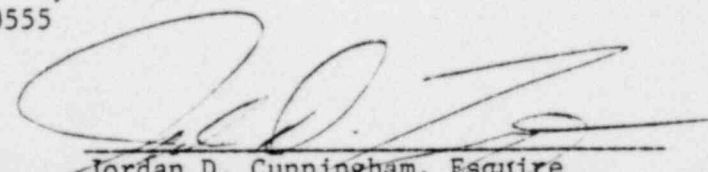
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