

June 29, 1979

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

PENNSYLVANIA POWER AND LIGHT COMPANY AND:
ALLEGHENY ELECTRIC COOPERATIVE, INC.(Susquehanna Steam Electric Station,
Units 1 and 2)Docket Nos. 50-387
50-388RESPONSES OF COMMONWEALTH OF PENNSYLVANIA
TO FIRST ROUND DISCOVERY REQUESTS OF
ENVIRONMENTAL COALITION ON NUCLEAR POWER

NOW COMES the Commonwealth of Pennsylvania, Department of Environmental Resources, Bureau of Radiation Protection, (hereinafter "BRP") by its attorney, Karin W. Carter, and makes the following responses to the First Round Discovery Requests of Environmental Coalition on Nuclear Power (hereinafter "ECNP").

1. The Commonwealth does not hereby acknowledge any legal obligation to comply with the above mentioned discovery requests. The Commonwealth of Pennsylvania has neither sought nor obtained party status in this proceeding. The Bureau of Radiation Protection has sought and obtained permission to participate as a representative of an interested state under paragraph (c) of 10 C.F.R. 2.715 (participation by a person not a party). Therefore, neither the Commonwealth of Pennsylvania nor its representative is subject to a motion to compel discovery under 10 C.F.R. §2.740(f).

However, as in past NRC proceedings, the Commonwealth wishes to contribute to the completeness of the record and believes that it is in the interest of its citizens to cooperate as fully as possible with the Board

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and the parties to this proceeding, as long as such cooperation does not interfere unduly with the performance of its other duties or impose an undue burden on the treasury of the Commonwealth.

2. (ECNP Request to Commonwealth #1)

"For Intervenor's Contentions 1-18, provide all correspondence and requests for information, data or documents from the Commonwealth to the Applicant subsequent to and/or in consequence of the March 28, 1979 accident at Three Mile Island, Unit 2."

Response: After a reasonable search within BRP and the Pennsylvania Emergency Management Agency, BRP has concluded that there have been no correspondence or recorded requests for information, data or documents directed to the Applicant between March 28, 1979 and June 29, 1979. BRP has not canvassed every employee of the Commonwealth to determine if they have made such requests or had such correspondence.

3. (ECNP Request to Commonwealth #2a)

"The most recent version of the Commonwealth's emergency preparedness and evacuation plans."

Response: Transmitted herewith is the June 1979 draft of the Commonwealth of Pennsylvania Disaster Operations Plan, Nuclear Incidents (Fixed Facility).

4. (ECNP Request to Commonwealth #2b)

"All correspondence from, and to, the Bureau of Radiological [sic] Protection, the Pennsylvania Emergency Management Agency, the Commonwealth Justice Department, the Applicant, and NRC pertaining to the adequacy and any proposed changes in emergency preparedness and evacuation plans in consequence of and subsequent to the March 28, 1979, TMI-2 accident."

Response: Transmitted herewith are copies of the requested items of correspondence.

5. (ECNP Request to Commonwealth #2c)

"All records, documents, and other information detailing the legal responsibilities and obligations of employees of the Commonwealth with respect to their ability to respond fully, adequately, and timely to a radiological emergency at a nuclear power facility in order to protect the health and safety of the citizens of Pennsylvania."

Response: Transmitted herewith are copies of such correspondence and documents as have not already been transmitted in response to other requests above, on the subject of legal responsibilities of Commonwealth employees in a radiation emergency at a nuclear power facility. The Commonwealth does not understand the relation to the second half of ECNP request 2c (beginning "with respect to...") to the first half of that request. If additional documents are desired, ECNP should clarify its request by using more precise language. The Commonwealth BRP has not transmitted copies of statutes or regulations in response to the above request. Such a response would constitute legal research which the Commonwealth is not obligated to perform for ECNP and which is unnecessary given the availability of statutes and regulations in the many public law libraries in Pennsylvania.

6. (ECNP Request to Commonwealth #2d)

"All Radiation monitoring data from Three Mile Island, Unit 2, in the possession of the Commonwealth Bureau of Radiological Protection subsequent to March 28, 1979, in order to establish whether the Commonwealth or any other involved institution or agency has monitored to a distance and extent to be able to establish radiation doses to the public with a reasonable degree of accuracy and timeliness in the event of a radiological emergency."

Response: Transmitted herewith is BRP's compilation of its milk monitoring data on the Three Mile Island area covering the period of March 28 to April 13, 1979. BRP is in the process of compiling its air monitoring data and will transmit this compilation to ECNP when it is finished, at some

time within the next sixty days. The Commonwealth BRP is also in the process of copying the other monitoring data in its possession from its own monitoring activities and the monitoring activities of EPA, NRC, the U.S. Department of Energy, the U.S. Food and Drug Administration and the Applicant. The volume of paper involved is large, and the number of official investigatory bodies demanding access to these data is large and growing. The Bureau hopes to complete the task of copying the requested data and transmitting them to ECNP within ninety days. It has not been determined whether the Bureau has the capability of making legible copies of the FDA daily computer printouts which now comprise a stack four inches high. It is suggested that ECNP contact FDA directly for these printouts or inspect the printouts in the BRP Harrisburg office on the 5th Floor of the Fulton Bank Building, Third and Locust Streets, between 8 a.m. and 4 p.m. on regular business days. Other BRP files are also available for inspection, although it is suggested that an appointment be made in advance to inspect files which are in frequent demand.

7. (ECNP Request to Commonwealth #2e)

"Emergency preparedness and evacuation plans of the Pennsylvania Emergency Management Agency and local agencies of government to provide adequately for the protection of the health and safety of the citizens of Pennsylvania in the event of a radiological accident worse than the Applicant's calculated "design basis accident," or a Class 9 accident.

Response: The most recent version of the Commonwealth's Disaster Operations Plan for Nuclear Incidents has been transmitted herewith pursuant to response #3 above. This document contains all PEMA plans dealing with radiological accidents. "Local agencies of government" is too vague a

phrase to allow us to respond. The only documents which PEMA has in its possession which might be relevant are county emergency response plans for most of the 67 counties of the Commonwealth. If these are the subject of this request, ECNP should specify which county plans it wishes to obtain.

Respectfully submitted,

Karl W. Carter
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June 29, 1979

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~~SECRET~~ CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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: 50-388
(Susquehanna Steam Electric Station, :
Units 1 and 2) :

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing "Responses of Commonwealth of Pennsylvania to First Round Discovery Requests of Citizens Against Nuclear Danger" and "Responses of Commonwealth of Pennsylvania to First Round Discovery Requests of Environmental Coalition on Nuclear Power" were served by deposit in the U.S. Mail, first class, postage prepaid, this 29th day of June, 1979 to all those on the attached service list.

Karin W. Carter

KARIN W. CARTER
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June 29, 1979

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NUCLEAR REGULATORY COMMISSION

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