

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) :

DRAFT CONTENTIONS OF  
ANTI-NUCLEAR GROUP  
REPRESENTING YORK (A.N.G.R.Y.)

In compliance with the Atomic Safety and Licensing Board's September 21 Order setting a schedule of pre-hearing procedures, intervenor Anti-Nuclear Group Representing York hereby submits in preliminary form<sup>1</sup> the contentions it intends to advance in the course of the proceedings in the above-captioned matter.

I. The conditions set forth in the NRC's August 9 Order (44 F.R. 47821-25) for TMI-1's resumption of operation are insufficient to provide reasonable assurance that such resumption can occur without endangering the public health and safety for the reason

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<sup>1</sup>Intervenor takes explicit notice of the statement in the NRC staff's September 17 motion that "October 5, 1979, filing of contentions need not meet the requirements of the regulations regarding bases and specificity."

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that it fails to require the development and effectuation of adequate and effective Radiological Emergency Response Plan to protect the population surrounding TMI-1 from the consequences of any future nuclear accident. Such insufficiency is in particular demonstrated by the following flaws:

- (a) There is no requirement that the Radiological Emergency Response Plan of the Commonwealth of Pennsylvania be brought into compliance with reasonable standards of adequacy and effectiveness for such plans which include but are not limited to standards promulgated by the NRC itself;
- (b) Resumption of operation would be permitted before the licensee had completed the process of extending its capability to take effective emergency response actions to a distance of Ten (10) miles from the reactor site in all directions.
- (c) There is no requirement that the Radiological Emergency Response Plans

of local governmental units (counties) surrounding the reactor site be brought into compliance with reasonable standards of adequacy and effectiveness for such plans which include but are not limited to standards promulgated by the NRC itself.

- (d) There is no requirement that the licensee's "test exercise" of its upgraded Emergency Plan be conducted jointly and in concert with appropriate state and local emergency response officials, nor is there any provision for monitoring, critique, and correction of deficiencies that might be disclosed by such a joint exercise.

II. The development and effectuation of such adequate and effective Emergency Response Plans by the licensee and by state and local governmental units are in fact necessary for the public health and safety to be adequately protected and therefore should be made a precondition to the restart of TMI-1.

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III. The Emergency Response Plans of the licensee, of the Commonwealth of Pennsylvania, and of surrounding local governmental units in fact do not satisfy reasonable standards of adequacy and effectiveness. For instance, the York County "Evacuation Plan" is seriously deficient in respects which include but are not limited to the following:

- (a) There is no assessment of the appropriateness or efficacy of specific protective actions in light of such pertinent accident parameters as warning time and plume travel speed.
- (b) The plan is based on the assumption of a warning time greatly in excess of that which in fact may be available.
- (c) The road capacities of selected egress routes are insufficient, given certain assumptions as to warning time and plume travel speed, to permit the evacuation of the full population at risk.
- (d) There is insufficient provision for decontamination and medical services at relocation centers.

- (e) Inasmuch as principal reliance is placed upon school buses for transportation of those without independent means of travel, the plan would be impossible to execute if an accident were to occur while school was in session. Reliance is placed on out-of-state vehicles for evacuation of hospitalized persons, which will prove to be unworkable because of distances and response times.
- (f) There is no provision for informing the population at risk of the existence or contents of the plan.

IV. The licensee does not possess the management capability to operate a Nuclear Generating Station without endangering the public health and safety. This fact is conclusively demonstrated by the numerous negligent and imprudent actions committed by the licensee before and during the TMI-2 accident which include but are not limited to the following:

- (a) Loss of an entire safety system, i.e., auxiliary feedwater to the steam generator.
- (b) Failure over an extensive period of time

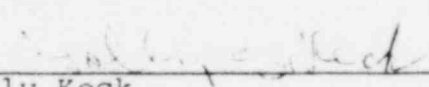
to correct leakage of reactor primary coolant through the pressurizer relief valve, causing excessive temperatures in the relief valve exhaust to be regarded as a normal operating condition, and thus preventing such temperatures from alerting plant operators as they normally would to the stuck-open position of the valve during the accident.

- (c) Throttling of high-pressure injection flow from the Emergency Core Cooling system in total disregard of abnormally low reactor coolant system pressure, and in apparent conformance with an "operating philosophy" concerning actuation of reactor HPI which placed greater emphasis on considerations of convenience and avoidance of down time than on safety.

V. The TMI-1 reactor was designed and constructed in accordance with General Design Criteria within which the particular constellation of events which caused the TMI-2

accident were considered too improbable to be included. The failure of the TMI-1 reactor design to anticipate such multiple failures in equipment and operational functioning renders it peculiarly vulnerable to a breakdown comparable in severity to the TMI-2 accident. The measures specified in the NRC's August 9 Order fail to overcome this vulnerability.

Dated: October 5, 1979  
York, Pennsylvania

  
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Holly Keck  
Legislation Chairman  
A.N.G.R.Y.  
245 West Philadelphia Street  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD  
Ivan W. Smith, Esquire, Chairman  
Dr. Walter H. Jordan, Member  
Dr. Linda W. Little, Member

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Station, Unit No. 1)	:	
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CERTIFICATE OF SERVICE

I, Holly S. Keck, hereby certify that I have this  
5th day of October, 1979, served copies of the foregoing  
Draft Contentions of A.N.G.R.Y. on each of the following  
persons by causing same to be deposited in envelopes  
addressed to said persons, first class, postage prepaid, and  
deposited with the United States Postal Service.

Secretary of the Commission  
United States Nuclear Regulatory Commission  
Washington, DC 20555

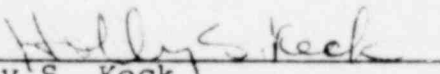
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