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Thomas J. Halligan  
P.O. Box 5  
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August 20, 1979

Secretary of the Commission  
Nuclear Regulatory Commission  
Washington, D.C. 20555



Dear Mr. Secretary:

Reference: Section 82--Procedures: "Financial Protection Requirements and Indemnity Agreements" (Fed. Reg. July 23, 1979, p. 43128) Pertaining to the question before the NRC as to whether or not the Three Mile Island accident will be declared an extraordinary nuclear occurrence.

The following comments are submitted on behalf of the Citizens Against Nuclear Dangers (Citizens), Berwick, Pennsylvania; interveners before the NRC Atomic Safety and Licensing Board in the proceedings at NRC Docket Nos. 50-387/388, Susquehanna Units 1 & 2.

The people living in the vicinity of Berwick, Pennsylvania were informed by government officials on March 31, 1979, to be prepared to somehow, impossibly, accommodate tens of thousands of fleeing refugees from the Harrisburg area, if a melt-down and steam explosion at Three-Mile Island necessitated total mass evacuation. Berwick is only about 65 air miles from Three Mile Island, in a northeast direction.

The people of Berwick also live very near to a construction site, along the same Susquehanna River that flows around Three Mile Island, where the Pennsylvania Power and Light Company is proceeding with plans to bring the atomic nightmare of Three Mile Island to their doorstep. There is, therefore, a growing alarm and concern over the threat to public health and safety that will be visited upon the citizenry of Eastern-Central Pennsylvania. The problems of TMI will not go away.

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Acknowledged by card. 8/31/79

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It can never be business as usual again for the atomic industry anywhere in the Susquehanna Valley!

Concerning the criterion for "substantial radiation release," the Citizens contend that the accidental and deliberate radiation releases at TMI into the biosphere were substantially greater than what was recorded and reported publicly. The enclosed document outlines the fact that official records in the offices of the Pennsylvania Bureau of Radiation Protection in Harrisburg, Pa. (the responsible monitoring agency) were mismanaged, misplaced, possibly concealed, altered or misappropriated, for an extended duration, in a manner that could lead one to believe that a concerted cover-up was in operation. This matter warrants an investigation by the NRC and appropriate law enforcement agencies.

Concerning the criterion for "substantial damage to persons or property," the Citizens contend that the Auditor General of the Commonwealth of Pennsylvania should commence a full-scale audit of state agencies and state supported institutions, to determine exactly the extent of damages and losses sustained by the state as a direct or indirect result of the TMI accident and its aftermath, due to overtime payed state workers, loss of state services from employee absenteeism, and the cost of all other extraordinary state expenses incurred as a result of TMI.

The Auditor General has the constitutional duty to conduct such an audit. The Citizens Against Nuclear Dangers hereby petition the Auditor General of Pennsylvania to conduct this TMI audit on behalf of the taxpayers of the state who, collectively, have sustained losses to the state treasury in the millions of dollars because of the TMI accident.

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The Auditor General, with the assistance of the state Department of Revenue should also audit sales records of private businesses on file, to estimate the lost revenue to the state treasury (in the millions of dollars) from the sharp decline in the collection of the six percent state sales and use taxes, and state gasoline taxes, etc., that resulted from the depressed volume of general business after March 28, 1979, in the greater Harrisburg--TMI area. These findings of fact should then be made public and forwarded to the NRC as evidence to prove the degree of losses sustained by the state of Pennsylvania.

Yours truly

*Thomas J. Halligan*  
Correspondent

cc: Pennsylvania Auditor General Benedict

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July 25, 1979

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

PENNSYLVANIA POWER AND LIGHT CO.  
ALLEGHENY ELECTRIC COOPERATIVE, INC.

Docket Nos. 50-387  
50-388

(Berwick Atomic Power Plant)  
(Susquehanna Units 1 and 2 )

CITIZENS AGAINST NUCLEAR DANGERS  
SUBMISSION OF SUPPLEMENTAL DISCOVERY REQUESTS  
TO THE COMMONWEALTH OF PENNSYLVANIA

The Citizens Against Nuclear Dangers (Citizens) are now aware that some records in various categories under the jurisdiction of the Pennsylvania Department of Environmental Resources (DER) that should have been forwarded in response to discovery requests of May 22, 1979, from the Citizens, are probably missing. We reiterate our request for copies of these papers, if and when they are found.

This leads us to our main point. In response to the May 22, 1979, discovery requests to DER to "Provide a catalogue containing a complete listing of the documents, reports and correspondence, etc...on the subject of PP&L's Berwick atomic power plant," the Citizens were notified by an Assistant Attorney General that "In the month following the March 28, 1979, accident at Three Mile Island Unit 2, many documents which were not shelved or in file drawers were moved aside or otherwise displaced by visitors from various Federal and State agencies who used the offices of the Bureau of Radiation Protection. We cannot assure you that all misplaced documents relevant to this or any other subject have been located, replaced in file drawers, and listed."

This serious breach of internal records security is appalling!

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For an Assistant Attorney General to actually make public what appears to be serious negligence on the part of government officials, apparently allowing unauthorized persons to gain access to restricted areas where DER documents on radiation have apparently disappeared or were concealed, during a thirty day period, then there is cause for real concern by federal and state commissioners investigating TMI.

The Citizens, therefore, call upon Governor Dick Thornburgh to request that the Federal Bureau of Investigation take belated but effective action. There quite possibly has occurred criminal acts such as the theft, concealment, or destruction of original official records from the Bureau of Radiation that could be of some importance to the TMI inquiries. The DER radiation records on TMI will also become vitally important in the numerous class action law suits pending in federal court where plaintiffs are seeking damages up to the 560 million dollar limit.

Last but not least in our judgement Governor Thornburgh, the missing or stolen records adversely affect the ability of the Citizens to present certain admissible evidence at forthcoming public hearings before the U.S. Atomic Safety and Licensing Board in the Berwick case.

Because the DER bureaucracy in the past...and present, refuse to represent and defend the health and safety interests of Pennsylvania citizens before the NRC---as the DER should, then ordinary citizens have to try on their own. That being what it may, what we certainly don't need is obstructionist payrollers in the DER denying, for whatever reason, the evidence we require. Please use your good offices to get to the bottom of this mess!

POOR ORIGINAL

Respectfully submitted

Dated: July 25, 1979

*Irene Lemanowicz*  
Irene Lemanowicz  
Chairperson

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## CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers  
Submission of Supplemental Discovery Requests to the Commonwealth  
of Pennsylvania have been served on the following by deposit in the  
 United States mail, first class, this 25th day of July, 1979.

SERVICE LIST

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