

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
	)	(Restart)
(Three Mile Island Nuclear	)	
Station, Unit No. 1)	)	

LICENSEE'S RESPONSE TO FINAL CONTENTIONS  
OF PEOPLE AGAINST NUCLEAR ENERGY

Contention No. 1. Renewed operation of Three Mile Island, Unit 1 (TMI 1) would cause severe psychological distress to PANE's members and other persons living in the vicinity of the reactor. The accident at Unit 2 has already impaired the health and sense of well being of these individuals, as evidenced by their feelings of increased anxiety, tension and fear, a sense of helplessness and such physical disorders as skin rashes, aggravated ulcers, and skeletal and muscular problems. Such manifestations of psychological distress have been seen in the aftermath of other disasters. The possibility that TMI Unit 1 will reopen severely aggravates these problems. As long as this possibility exists, PANE's members and other persons living in the communities around the plant will be unable to resolve and recover from the trauma which they have suffered. Operation of Unit 1 would be a constant reminder of the terror which they felt during the accident, and of the possibility that it will happen again. The distress caused by this ever present spectre of disaster makes it impossible for the NRC to operate TMI 1 without endangering the public health and safety.

Licensee's Response

Licensee objects to this contention. PANE here attempts to raise the issue of psychological distress. For the reasons set forth in Licensee's accompanying brief on this issue (see Licensee's Brief Opposing Admission of Psychological Distress Contentions), such a contention is not cognizable under either the Atomic Energy Act of 1954 or the National Environmental Policy Act of 1969.

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Contention No. 2. Renewed operation of TMI 1 would cause severe harm to the stability, cohesiveness and well being of the communities in the vicinity of the reactor. Community institutions have already been weakened as a result of a loss of citizen confidence in the ability of these institutions to function properly and in a helpful manner during a crisis. The potential for a reoccurrence of the accident will further stress the community infrastructure, causing increased loss of confidence and a breakdown of the social and political order. Sociologists such as Kai Erikson have documented similar phenomena in other communities following disasters.

The perception, created by the accident, that the communities near Three Mile Island are undesirable locations for business and industry, or for the establishment of law or medical practice, or homes compounds the damage to the viability of the communities. Community vitality depends upon the ability to attract and keep persons, such as teachers, doctors, lawyers, and businesses critical to economic and social health. The potential for another accident, should TMI 1 be allowed to operate, would compound and make permanent the damage, trapping the residents in disintegrating and dying communities and discouraging the influx of essential growth.

#### Licensee's Response

Licensee objects to this contention. PANE here attempts to raise the socio-economic impacts of fear and community stress. For the reasons set forth in Licensee's accompanying brief on this issue (see Licensee's Brief Opposing Admission of Psychological Distress Contentions), such a contention is not cognizable under either the Atomic Energy Act of 1954 or the National Environmental Policy Act of 1969.

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\*Contention No. 3. Evacuation planning done by Metropolitan Edison and the Nuclear Regulatory Commission is inadequate to assure the safety of the public, particularly those persons living within a five mile radius of the plant. Operation of TMI 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 an accident.

Licensee's Response

Licensee recognizes the right of PANE to raise contentions relating to emergency planning. In accordance with the position set forth at Section B of Licensee's covering memorandum, it is requested that the Board require PANE to revise and resubmit this contention with specific objections to Licensee's emergency preparedness following PANE's receipt of the updated Emergency Plan.

Dated: October 31, 1979

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