

## SHAW, PITTMAN, POTTS &amp; TROWBRIDGE

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1800 M STREET, N. W.

WASHINGTON, D. C. 20036

(202) 822-1000

TELECOPIER

(202) 822-1099 &amp; 822-1199

TELEX

89-2693 (SHAWLAW WSH)

CABLE "SHAWLAW"

JOHN F. DEALY\*

COUNSEL

RAMSAY D. POTTS, P.C.  
 STEUART L. PITTMAN, P.C.  
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 JANICE LEHRER-STEIN  
 TRAVIS T. BROWN, JR.  
 GAIL E. CURREY  
 RICHARD H. KRONTHAL  
 STEPHEN B. HEIMANN  
 \*NOT ADMITTED IN D.C.

WRITER'S DIRECT DIAL NUMBER

822-1026

June 29, 1982

Ms. Gwendolyn W. Pla  
 Regulatory Policy Branch  
 Office of Information and  
 Regulatory Affairs  
 Office of Management and Budget  
 Room 3228  
 627 Jackson Place, N.W.  
 Washington, D.C. 20503

Dear Ms. Pla:

This letter responds on behalf of General Public Utilities Nuclear Corporation (GPUNC), operator on behalf of Metropolitan Edison Company and other General Public Utilities Corporation operating subsidiaries of the Three Mile Island nuclear power plant, to the notice published by the Office of Management and Budget on June 18, 1982 (F.R. 26479-80), concerning receipt from the Nuclear Regulatory Commission of proposals for the collection of information. Specifically, this letter is concerned with the NRC proposal entitled Three Mile Island-1 Restart, Psychological Stress Survey in the form of a questionnaire to be used in a telephone survey of residents in the TMI area. Our comments are based on the questionnaire and Supporting Statement furnished by the NRC and made publicly available by OMB.

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As explained in the NRC Supporting Statement, NRC's proposed survey is intended to be responsive to a decision of the Court of Appeals for the District of Columbia Circuit. That decision requires the NRC to determine whether, since the preparation of the original environmental impact statement for TMI-1, significant new circumstances or information have arisen with respect to the potential psychological health effects of operating TMI-1. If NRC finds that such significant circumstances or information exist, it shall prepare a supplemental environmental impact statement which considers not only effects on psychological health but also effects on the well-being of the communities surrounding TMI. GPUNC on its part has urged NRC, while preserving and pursuing its rights of appeal, to proceed promptly in the meantime to comply with the Court's decision. We urged from the outset, however, that NRC could adequately assess the potential impacts on the basis of voluminous available literature on psychological stress, studies of responses to community emergencies and threats of emergency, and a number of stress studies of the TMI area which have been conducted following the TMI-2 accident.

In particular, we have questioned the usefulness and validity of telephone or interview type surveys which are identified with the controversial issue of TMI-1 restart and which are dependent entirely on nonverifiable personal reports of past or present stress levels and personal predictions as to future impacts or behavior. The inherent limitations on the value of such "self-report" surveys are widely recognized among psychologists. In the case of TMI these limitations will be greatly aggravated by the fact that the questionnaire is to be addressed to a community already polarized in its views of TMI-1 restart as a result of the controversies, media reports and organized opposition which have pervaded the TMI area since the TMI-2 accident. Either consciously or unconsciously, individual responses to the questionnaire will reflect the personal bias of the interviewee on the restart issue. Consider, for example, the unreliability and bias likely to be introduced in an individual's response to the question: "Will the restart affect your life in any way?" Similarly, consider the inevitable personal bias in responding to a question which asks an individual his opinion on "how fearful are you of an accident at TMI Unit 1" followed by the suggestive question "what precautionary measures have you and/or other members of your household made in case of another accident at TMI?" Yet the results of the survey on these and other questions will be widely reported and used without regard for factors of bias.

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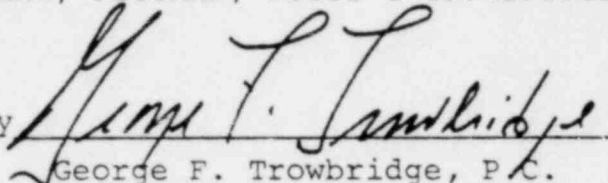
We reluctantly urge that OMB determine, in accordance with U.S.C. § 3508, that collection of the information contained in this survey will not have practical utility. We also believe that, given the pervasive impact of the decision of the Court of Appeals, if not reversed, on the actions of many Government agencies, the collection of information so readily capable of manipulation will be counterproductive to the orderly administration of the laws of the United States. Specifically, the collection of such information will provide support for the view that Federal statutes can be repealed in effect by responses to surveys and questionnaires reflecting personal views on the desirability of Federal action.

We do not expect OMB, in carrying out its responsibilities for determining the necessity for the questionnaire and whether the information sought will have practical utility, to enmesh itself deeply in a technical review of the structure and validity of the questionnaire. However, given the broad implications for the entire processes of government of the utilization of such a survey, OMB's interest in assessing the practical utility of the information sought to be collected by the survey should be correspondingly broad.

We understand that the NRC questionnaire has been submitted to the National Institute of Mental Health for review. Accordingly, we have included the Director of NIMH in the distribution of this letter.

Sincerely,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By 

George F. Trowbridge, P.C.  
Counsel for  
GPU Nuclear Corporation

cc: Chairman Nunzio J. Palladino  
Commissioner Victor Gilinsky  
Commissioner John F. Ahearne  
Commissioner Thomas M. Roberts  
Commissioner James K. Asselstine  
Harold R. Denton, Director NRR  
Dr. Herbert Pardes, Director NIMH