

EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY  
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Honorable Joseph Hendrie  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Chairman Hendrie:

The Council understands that the Commission staff has proposed to prepare a series of environmental assessments (40 C.F.R. § 1508.9) on the various stages of the decontamination and possible restart of the Three Mile Island Unit 2 reactor. (See NUREG-0591, p. 1.) The first assessment, which was released in August, discussed only that segment of the proposal addressing the cleanup, temporary storage and handling of the low level contaminated water in the TMI Unit 2 auxiliary building tanks. The NRC staff stated that the actual disposal of the water "will be covered in a separate assessment. In addition, treatment and disposition of [the high level waste] water in the reactor containment building will also be covered in a separate assessment." (NUREG-0591, p. 1; see also Commission's Statement of May 25, 1979.) Apparently, the NRC staff has indicated that another assessment will be prepared on the future release of radioactive gases from the reactor containment building.

Other tasks which have yet to be decided include the construction and operation of additional waste management systems for treatment of wastes generated by the cleanup operations, the removal of fuel from Unit 2, other decontamination and preparations for restart, and the restart itself. It is our understanding that some of the initial decontamination activities may ultimately involve discharges of contaminated water into the Susquehanna River.

We are concerned that the NRC staff's review at TMI, as it is now planned, will result in an inappropriate segmentation of the issues (40 C.F.R. § 1502.4(a); see also 1508.18, 1508.27). In addition, it appears that several of the alternative operations being considered for TMI Unit 2 will have significant impacts on the environment. In these circumstances, an environmental impact statement (EIS) should be prepared (40

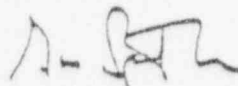
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C.F.R. § 1502.3). We believe it is important to meet with you and explore the possibilities for implementing the National Environmental Policy Act while allowing for timely decontamination of TMI. The Council's NEPA regulations are flexible enough to accommodate the demands of the cleanup without jeopardizing the quality or utility of the NEPA review process itself.

Absent emergency circumstances (40 C.F.R. § 1506.11), an EIS must be completed prior to taking any action which will significantly affect the environment. It would be useful, therefore, for us to discuss those foreseeable operations which would involve the discharge or release of radioactive materials into the environment. We believe it is important for the Commission to integrate the NEPA process into its planning for Three Mile Island at the earliest possible time. 40 C.F.R. § 1501.2; Andrus v. Sierra Club, et al., \_\_\_\_ U.S. \_\_\_\_, 47 U.S.L.W. 4676, 4677 (June 11, 1979).

We look forward to cooperating with you on this difficult problem.

Sincerely,



GUS SPETH  
Chairman

cc: Victor Gilinsky, Commissioner, NRC  
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