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U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

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November 4, 1981

The Honorable Nunzio Palladino  
Chairman, Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Chairman:

I have recently received a January 26, 1981 memorandum that raises questions as to the adequacy of the Office of Inspection and Enforcement (I&E) inquiry into information flow from Three Mile Island to the State of Pennsylvania on March 28, 1979. (The report based on this inquiry is entitled "Investigation into Information Flow During the Accident at Three Mile Island" (NUREG-0760)). The January 26 memorandum, prepared by Mr. David Gamble of the Office of Inspector and Auditor, is addressed to Mr. Norman Moseley of the Office of Inspection and Enforcement.

Section VI of NUREG-0760 is entitled "Operating Information Supplied to the State." Items 4 and 5 on page 11 of NUREG-0760 indicate the investigators' conclusions with regard to reporting of information to the State on March 28. Section VI and Conclusions 4 and 5 imply that an investigation was in fact conducted into the cause of inadequate reporting to the State. Mr. Gamble's memorandum, on the other hand, suggests that the investigators conducted their inquiry with the understanding that its scope did not encompass an investigation of "...the flow of information to the State Government." Mr. Gamble notes in particular the basis for his having arrived at this understanding:

"Among the exchanges that led me to this understanding were your directions to those of us participating in the interviews of state officials to carefully restrict questioning to prevent providing these state officials with a forum to air their difficulties in obtaining information from TMI."

Mr. Gamble then suggests that Lt. Governor Scranton was not interviewed because of a scheduling inconvenience and that the investigators "...did not track down whether minutes were taken of TMI's briefing of the Lieutenant Governor." Finally, Mr. Gamble stated, "It seems strange to now take action based upon this restricted phase of the

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XA 14 2pp.

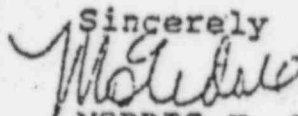
The Hon. Nunzio Palladino

November 4, 1981

I would like to express my own surprise at this. The TMI Emergency Plan required reporting of certain kinds of information that was not in fact reported on March 28, 1979. In that this plan was part of the plant Technical Specifications and because NRC regulations, in effect, require adherence to the Technical Specification requirements, a failure to adhere to the requirements of the Emergency Plan constitutes a violation of the NRC regulations. It seems to me that compliance with the reporting requirements vis-a-vis the state would as a matter of course have been something of concern to I&E. The failure of the Office of Inspection and Enforcement to undertake a comprehensive inquiry into such a failure casts doubt upon its credibility.

I look forward to an early explanation of the failure of I&E to conduct a thorough inquiry into reporting of information to the State of Pennsylvania on March 28, 1979.

Sincerely



MORRIS K. UDALL  
Chairman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

50-289 16

JAN 28 1982

MEMORANDUM FOR: Commissioner Gilinsky

THRU: William J. Dircks  
Executive Director for Operations

FROM: Victor Stello, Jr., Deputy Executive Director  
Regional Operations and Generic Requirements

SUBJECT: RESPONSE TO YOUR MEMO DATED JANUARY 18, 1982

In your memorandum to me dated January 18, 1982, you asked the following question:

"I remain perplexed by the distinction which you draw between "knowingly" and "willfully" failing to inform government authorities. Since this distinction is likely to be a subject of controversy in the decision on restarting TMI-1, I would appreciate a written explanation of the difference which you see between these two states of mind."

I would ordinarily use the words knowingly and willfully when I wanted to imply some form of intent behind an action or inaction, with the stronger implication of intent being associated with the word willfully.

With respect to the use of these words regarding the flow of information on March 28, 1979, during the TMI accident, it is clear in the transcript that you had conditioned the use of the word knowingly with the understanding that intent was not implied. This understanding was reiterated a number of times during the briefing, but in particular, the following passages make clear the way in which the use of the word knowingly was qualified.

"COMMISSIONER GILINSKY: Well, at that time we talked about this too. Let's just forget about the word "intent."

"MR. STELLO: If we take away the word "intent," I have no problem.

"COMMISSIONER GILINSKY: Do you accept the word "knowingly"?

PDR

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16

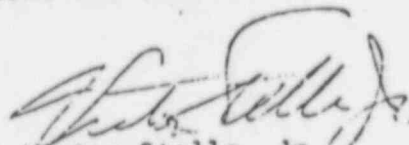
"MR STELLO: Minus "intent," as long as intent is not implied. I need to say that because I have also read the recent transcript, and I was particularly interested in the dialogue that you were having where you were using the words "knowingly" and "intentionally" kind of interchangeably in the questions you were asking. And I don't know whether you have in mind using "knowingly intent."

The semantic argument set aside, the real issue is the conclusion I draw as to intentional withholding of information by the licensee. You will recall one of the issues to be examined in the IE investigation of the information flow during the accident (NUREG 0760) was whether or not information was intentionally withheld. Conclusions Number 5 and 6 state clearly that information was not intentionally withheld; i.e.,

"5. Information was not intentionally withheld from the State on the day of the accident.

"6. Information was not intentionally withheld from the NRC on the day of the accident."

I remain convinced that those are the proper conclusions and note that other investigators (NRC's Special Inquiry Group) who were directed by the Commission to inquire into this matter have reached the same conclusions. I am not prepared to conclude otherwise.



Victor Stello, Jr.  
Deputy Executive Director  
Regional Operations and  
Generic Requirements

cc: Chairman Palladino  
Commissioner Bradford  
Commissioner Ahearne  
Commissioner Roberts  
EDO  
SECY  
OGC  
ELD  
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STANLEY SCOVILLE  
 ASSOCIATE STAFF DIRECTOR  
 AND COUNSEL  
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1. S- Copies to RA's & IE Directors  
 2. RDY

February 4, 1982

The Honorable Nunzio Palladino  
 Chairman  
 United States Nuclear Regulatory Commission  
 Washington, D.C. 20555

Dear Mr. Chairman:

I want to express deep dissatisfaction with the manner in which the Commission has handled one important aspect of the Three Mile Island accident. This concerns reporting failures that occurred on March 28, 1979. The initial inquiry conducted by the Office of Inspection and Enforcement (I&E) did not address the issue; the inquiry conducted by the NRC Special Inquiry Group was incomplete; and the most recent I&E investigation undertaken after my repeated urging was wholly inadequate.

You did not respond to my November 4, 1981 request for an explanation of I&E's failure to conduct a comprehensive inquiry with regard to reporting of information to State officials. Recently we have observed the sorry spectacle of high level Commission staff seeking to make a distinction between "knowingly" and "willfully" withholding information required to be reported by NRC regulations, a distinction that appears acceptable to a Commission majority.

This history does little to inspire confidence in the Commission's ability to confront situations involving an apparent willful violation of its regulations.

For my part, I do not accept your staff's tortured distinctions between "knowingly" and "willfully." Notwithstanding the fundamentally flawed character of the NRC investigations, the record is such that a fair reading of it leads to the conclusion that significant information was willfully withheld from State and Federal officials on the first day of the accident at Three Mile Island.

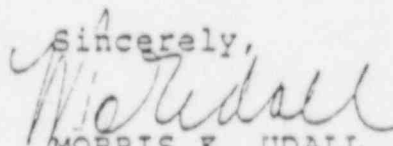
2/5..To OCA for Appropriate Action...Cpys to: Chm,Cmrs,EDO,Docket,RF  
 82-102

February 4, 1982

If I believed that continuation of our dialogue on this matter would lead to a satisfactory resolution, I would continue to press for a response, particularly to the question as to whether the Commission believes that persons, who acted as stated in the conclusions of the House Interior Committee staff report, did willfully violate the Commission's regulations. But given the Commission's apparent determination to avoid confronting the issue directly, I have concluded that further requests for a clear resolution are destined to result only in more obfuscation.

Finally, your inaction on this matter has done more than to raise questions about the Commission's credibility. Your response to this serious violation of NRC regulations conveys to your staff the notion that circumstances exist where the interest of the greater good dictates avoidance of findings that would force administrative actions that imply commission of a criminal act. Moreover, in permitting staff to conceal a problem with obfuscatory language and with words having meanings different from those in common usage, you set a poor example for your licensees.

Sincerely,

  
MORRIS K. UDALL  
Chairman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MAR 3 1982

MEMORANDUM FOR: Commissioner Gilinsky

FROM: Victor Stello, Jr., Deputy Executive Director  
Regional Operations and Generic Requirements

SUBJECT: COMMISSIONER GILINSKY'S SEPARATE REMARKS ATTACHED TO  
THE MARCH 2, 1982 LETTER TO CONGRESSMAN UDALL

The discussion concerning my conclusions about withholding of information during the TMI-2 accident in your separate remarks attached to the March 2, 1982, letter to Congressman Udall are incorrect and therefore I feel obliged to provide a response for the record.

The second paragraph in your separate remarks states:

Recently, at long last, the Staff, in the person of Mr. Stello, finally conceded that significant information about the severity of the accident had been withheld "knowingly" by the Company on the day of the accident. But, Mr. Stello added, in what can only be described as an Alice-in-Wonderland departure from the dictionary meaning of the words, this involved no "intent" or "willfulness" on the Company's part.

The first sentence says that my views regarding information flow regarding the severity of the accident has recently changed. This is incorrect. My views now and at the conclusion of our investigation, as reported in NUREG-0760, "Investigation Into Information Flow During the Accident at Three Mile Island," dated January 1981, remain unchanged. I have recently reiterated my conclusions to you in a memorandum dated January 28, 1982, which stated:

...the real issue is the conclusion I draw as to intentional withholding of information by the licensee. You will recall one of the issues to be examined in the IE investigation of the information flow during the accident (NUREG-0760) was whether or not information was intentionally withheld. Conclusions Number 5 and 6 state clearly that information was not intentionally withheld; i.e.,

5. Information was not intentionally withheld from the State on the day of the accident.
6. Information was not intentionally withheld from the NRC on the day of the accident.

I remain convinced that those are the proper conclusions....

Rec. No. ~~2005-11-153~~

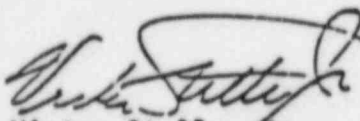
PDR

23pp

MAR 3 1982

The second sentence in the excerpt from your separate remarks which attributes to me a departure from the dictionary definition of words in my conclusions is equally objectionable. The departure from the usual meaning of words in the transcript of the December 21, 1981 meeting, which is the source of your comment, arose from your request to me to leave aside certain concepts in our discussion. My memorandum of January 28, 1982 points out the unusual context in which certain words were used in your questioning of me. You began a line of questioning for which you asked me to "forget about the word intent." I tried to be responsive to your questioning using that assumption. Thus, I believe the Alice-in-Wonderland departure from the dictionary meaning of words was taken at your initiative not mine.

You are, of course, free to reach any conclusion you choose regarding the flow of information during the TMI-2 accident. I assume you want me to reach independently my conclusions based on my understanding the facts. I have done so. Until such time as new facts arise, I am not prepared to change my conclusions.



Victor Stello, Jr.  
Deputy Executive Director  
Regional Operations and  
Generic Requirements

cc: Chairman Palladino  
Commissioner Bradford  
Commissioner Ahearne  
Commissioner Roberts  
EDO  
SECY  
OGC  
ELD  
OCA



Draft

## Unit 2 Shift 3/28/79

Shift Supervisor	Zewe (SRO)
Shift Foreman	Scheimann (SRO)
Control Room Operators	Faust (RO) Frederick (RO)

NOTE: Normally shift supervisor would be in charge of both units. Because Unit 1 was preparing to start up a second shift supervisor, Bryan, was on duty in Unit 1.

## Control Room Personnel (minimum numbers)

0400 - Zewe, Faust, Frederick  
 0402 - Scheimann arrives  
 0408 - Bryan (SRO) and 2 other engineers arrive  
 0438 - Zewe goes to aux building  
 0450 - Kunder arrives in CR (SRO?)  
 0500 - Zewe back in CR  
 0545 - Joe Logan Unit 2 Superintendent arrives in CR  
 0600 - Brian Mehler (SRO) arrives in CR  
 5:45 ~~2:54:45~~ Mike Ross  
 0600 - Conference Call  
 0620 - 15-20 people in CR [entry 225 NUREG 0600, pg IA-41]  
 05:45 - Marshall  
 5:45 - Dubiel

See next page

0400 -	Zewe, Faust, Frederick	1-SRO, 2-RO
0402 -	Scheimann (SRO)	
0408 -	Bryan (SRO)	
	2 Nuclear Engineers (Wilkerson and Weaver)	
0438 -	Zewe leaves CR	2-SRO, 2-RO, 2-Eng. left in CR
0450 -	Kunder arrives - Superintendent Tech Support	
0500 -	Zewe returns	
0514 -	Secure 2 Rcp's	3-SRO, 2-RO, 2-Eng.
0545 -	Logan arrives - Unit Superintendent	
0600 -	Mehler (SRO)	
0618 -	15-20 people in CR, PROV Shut	Minimum Number - 5 4-SRO, 2-RO, 2-Eng. 4
0645 -	Bensel (Eng. <del>3</del> Nuclear) Seelinger Warren (Eng. <del>3</del> Nuclear)	
0700 -	Control Room crowded - noise level very high	
5:45 0700 -	Ross (SRO)	
0745 -	Rogers, B&W	
0700 -	Benson (Lead Nuclear Eng. Unit 2)	
0705 -	Miller Crawford (Eng. <del>2</del> Nuclear)	
0800 -	Porter <del>Weaver</del> Wright Yeager	
0900 -	Flint, B&W	
1200 -	Chwastyk	
05:45 -	marshall	

VI. Conclusion

The record shows that on March 28, 1979 TMI management did not provide State and Federal officials information that was understood by them and necessary to assess accurately the condition of the reactor and the likelihood of a major radiological release. The preponderance of evidence indicates that such information was intentionally withheld by TMI management from State and Federal officials. The preponderance of evidence indicates, in addition, that the TMI managers presented to State and Federal officials misleading statements that conveyed the impression that the accident was substantially less severe and the situation more under control than was in fact the case.

Draft From  
Myers Report

4/1/80

Bob

more info from NUREG 0760, TMI-2 investigation.

1. Interview, IE - G. Miller 11/10/80
2. Interview, IE, G. Miller 9/5/80
3. Interview - G. Miller IE Tape # 159, 160
4. TMI staff interview - 4/12/79: Dubiel, Miller, Seelinger
5. Key People Transcript: Miller, Logan, Seelinger, Ross, Dubiel, Zewe, Rogers, Kunder
6. Interview G. Miller IE Tape # 158
7. Interview Dubiel, Miller, Hilbish IE Tape # 99
8. Kennedy deposition of Miller 8/7/79
9. Interview Miller/Logan IE Tape # 1
10. Rogovin - Miller interview 10/29/79
11. Miller statement, TMS - March 28, 1979 (30 pgs)
12. Rogovin - Miller interview 9/20/79
13. Kennedy deposition: 5/31/79 Miller, Dubiel, Kunder, Ross, Logan, Floyd
14. IE Tape # 192, Arnold
15. Rogovin - 9/24/79 Arnold
16. IE Tape 278, Bryan
17. IE Tape 205, 206, Burkholder
18. IE Tape 33, 34, Berry
19. IE Tape 146, Baunack
20. Rogovin - 10/11/79 Baunack
21. IE Tape 311, Bennett
22. IE Tape 157, Bensel

21A



23. IE Tape 156, Bensei
24. IE Tape 329, Bryan
25. IE Tape 271, 272, Plumlee, ~~A~~ Nimitz
26. IE Tape 142, Neely
27. IE Tape 98, Neely
28. Rogovin, 10/11/79 Chwastyk
29. IE Tape 232, 233 Chwastyk
30. Rogovin 10/30/79, Chwastyk
31. IE Tape #244 Crawford
32. IE Tape #230 Coleman
33. IE Tape #302, Benson, Crawford

I believe all of these should be sent to  
Guinea.

There is more to come.

John

Met Ed (See Note)

Arnold  
Berry  
Chwastyk  
Dieckamp  
Gilbert  
Herbein

Kunder  
McGovern  
Mehler  
Miller  
Wright  
Zewe

B&W

Flint  
Rogers  
Clough  
Culberson  
Davis  
Deddens  
Guilbert  
Hallman

Kosiba  
Mullin  
Roy  
Schaedel  
Spangler  
Wandling  
Womack

IE

Keimig

Smith

NOTE: Transcripts for Benson, Illjes, Porter, Rose and Bennett are being reproduced and will be supplied when they are available.

# ROUTING AND TRANSMITTAL SLIP

Date

1/30/81

TO: (Name, office symbol, room number, building, Agency/Post)

Initials

Date

1. John Craig, IE

2. 359 E/W Towers

3. Room 352

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

## REMARKS

Here are copies of Tape Nos. 1 thru 4 of the conversations on 3/28/79 between Region I Incident Response Center and TMI.

*Sent to Myers  
2/3/81  
JC*

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Joyce Holmes  
Region I

Room No.—Bldg.

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488-1298

5041-102

☆ U. S. GPO: 1978-0-261-647 3354

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

*21C*

Fred Combs

1/30/81

The following material was given to IE by

H. Myers for our review as part of the IE investigation into information flow at TMI-2.

Please return these transcripts to him.

Thanks  
John Craig

1. S. Schermann 7/24/79  
3 binders, 241 pgs
2. G. Hunter 8/2/79  
1 binder, 172 pgs
3. S. Flint 6/30/79  
1 binder, 49 pgs
4. R. Dubiel 7/20/79  
1 binder, 151 pgs
5. I. Porter 7/21/79  
1 binder, 74 pgs
6. E. Frederick 7/23/79  
2 binders, pgs 117 - 313
7. C. Faust 7/22/79  
1 binder, 80 pgs  
3 binders, 7/23/79 pg 81 - 286  
2 binders each having pgs 255 - 286



8. B. Mehler 7/25/79  
1 binder, 192 pgs
9. W. Zewe 7/26/79  
1 binder, 187 pgs
10. D. Shoulin 7/27/79  
1 binder, 128 pgs
11. R. Zechman 7/27/79  
2 binders, 140 pgs
12. M. Beers 7/30/79  
1 binder, 100 pgs
13. M. Ross 8/10/30  
2 binders, 151 pgs
14. J. Floyd 8/9/79  
1 binder pgs 216 - 233
15. J. Logan 8/5/79  
2 binders, 199 pgs
16. J. Seelinger 8/6/79  
2 binders, 235 pgs

17. J. Herbein 8/10/79  
2 binders each had pgs 90-125
18. G. Miller 8/8/79  
1 binder pgs 153-349
19. R. Arnold 8/10/79  
2 binders, 326 pgs

.. Bob

1/30/81

Items enclosed:

1. Arnold to Moseley, 9/30/80 letter re  
Met Ed/GPU investigation into the accident

original Transcripts (corrections included)

2. R. Keinig 6/26/80 (NRC)
3. K. Plumbie 11/9/80 (NRC)
- ✓ 4. J. Seelinger 10/14/80 (Met Ed)
- ✓ 5. C. Faust 10/9/80 (Met Ed)
6. D. Neely 10/7/80 (NRC)
- ✓ 7. F. Scheimann 10/9/80 (Met Ed)
- ✓ 8. T. Illjes 9/24/80 (Met Ed)
- ✓ 9. H. McGovern 9/3/80 (Met Ed)
10. G. Miller 11/10/80 (Met Ed)
11. J. Logan 10/16/80 (Met Ed)
- ✓ 12. A. Miller 10/28/80 (Met Ed)
13. J. Higgins 10/7/80 (NRC)
- ✓ 14. N. Bennett 9/29/80 (Met Ed)
- ✓ 15. J. Chwastyk 9/4/80 (Met Ed)
16. M. Benson 9/24/80 (Met Ed)
- ✓ 17. G. Kunder 9/4/80 (Met Ed)
18. W. Raymond 10/7/80 (NRC)
- ✓ 19. W. Conaway 10/9/80 (Met Ed)
20. M. Ross 9/24/80 (Met Ed)
- ✓ 21. B. Mehler 9/3/80 (Met Ed)
22. G. Miller 9/5/80 (Met Ed)
23. W. Dorwile 10/1/80 (PA)
24. T. Gerusky 10/1/80 (PA)
- ✓ 25. W. Zewer 9/4/80 (Met Ed)

26.	J. Flint	9/2/80	(B & W)
• 27.	L. Rogers	9/2/80	(B & W)
✓ 28.	I. Porter	9/24/80	(Met Ed)
✓ 29.	R. Frederick	10/9/80	(Met Ed)
30.	M. Reilly	10/1/80	(PA)
31.	D. Berry	9/3/80	(Met Ed)
32.	J. Herbein	9/5/80	(Met Ed)
33.	H. Dieckamp	9/12/80	(GPU)
✓ 34.	L. Wright	9/3/80	(Met Ed)
35.	R. Arnold	9/5/80	(GPU)
36.	J. Gilbert	9/3/80	(Met Ed)
<del>37.</del>	<del>R. Kester</del>		

more is on the way  
J.C.



ROUTING AND TRANSMITTAL SLIP		ACTION	
1 TO (Name, office symbol or location)		INITIALS	CIRCULATE
<i>John Craig IE:HQ</i>		DATE	COORDINATION
2		INITIALS	FILE
		DATE	INFORMATION
3		INITIALS	NOTE AND RETURN
		DATE	PER CON - VERSATION
4		INITIALS	SEE ME
		DATE	SIGNATURE
REMARKS			
<p><i>I have reviewed the attached transcript of 1-12-81 and with the exception of some minor typographical errors have no problems with it. I have noted corrections in red. Should you have any further questions, please feel free to call</i></p>			
Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions			
FROM (Name, office symbol or location)		DATE	
<i>Chick Sullivan</i>		<i>2-4-81</i>	
		PHONE	
		<i>8-488-1275</i>	

OPTIONAL FORM 41  
AUGUST 1967  
GSA FPMR (41CFR) 100-11.206

48-15-81594-1 352-103 GPO 5041-101

*21F*

## ROUTING AND TRANSMITTAL SLIP

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1/29-

TO: (Name, office symbol, room number,  
building, Agency/Post)

Initials

Date

1. George Smith

2. Don Neely

3. Ron Nimtz

4. Chick Gallina

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
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## REMARKS

Please review your  
transcript and send me  
any corrections you may  
have.

Thank you W

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FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

John Craig

Phone No.

492-8019

5041-102

OPTIONAL FORM 41 (Rev. 7-76)

Prescribed by GSA  
FPMR (41 CFR) 101-11.206

☆ U. S. GPO: 1978-0-261-647 3354

21F

2/5/81

Bob,

This box contains transcripts which may or may not already be in the NAC file system. I had a lot of trouble locating some of this material when we began the investigation; but did not make any notes concerning the source when I got a particular transcript.

Information contained:

1. TMI Staff Interviews concerning the March 28, 1979 Incident, compiled by E. F. O'Connor, JCP&L May 9, 1979
2. B. Mehler deposition Kenney Commission 7/25/79
3. B&W General Communications Record TMI-2 Transient - 6 volumes
4. Wandling memo to distribution marked "Ex 3104"
5. Letter to D. Gamble from C.A. Williamson with attachment
6. Notes prepared by W. Dornsife at 0900 hrs on 3/28/79, and 2030 hrs on 3/28/79
7. Notes prepared by W. Dornsife after 3/28/79 "Recollections"

2/G

6. D. Roy interview - [Not presently in the NRC system] B&W, 6/30/80
7. J. Deddens interview - [Not in system] B&W, 6/30/80
8. R. Kosiba interview [Not presently in the system] - B&W, 6/30/80

9. "Small Box" of tapes

- a. 22 cassettes from B&W [Gray plastic]

These tapes were made by B&W in Lynchburg and should be identified by date. A listing of these tapes is enclosed

- b. "Key People" tape - made by G. Miller on 4/14/79

- c. G. Miller/Troffer conversation on 3/28/79 "Troffer Tape"

- d. Region I to TAFE site, 3/28/79 Tape #1

- e. 7 tapes made by B&W, one of which was made on 3/28/79, these were made in Lynchburg and are sometimes the same as the tapes in "a" above.



10. SIG interview of J. Deddens, 10/16/79
11. IE interview of J. Deddens, Tape # 189
12. IE interview of Dubiel, Tape # 80
13. " " " Tape # 69
14. " " " Tape # 175, 176
15. " " " Tape # 68
16. Kenny comm. deposition Dubiel, 7/20/79
17. SIG interview Dubiel 9/21/79
18. IE interview, Eigenrieder, Tape # 180, 181
19. Kenny Comm., dep., Flint, 6/30/79
20. IE interview, Flint, Tape # 58
21. Faust & Frederick interview done  
by Marshall, 3/29/79
22. IE, Flint, Tape # 323
23. Flint interview conducted by O'Connor  
on 4/20/79

more is on the way.



1/28 - returned transcripts of  
October '89 comm. mtg. re  
TMI civil Penalty to Jake  
Brown, office of SECY.

- returned roll chart of APR-219  
TMI-271, TMI-275 to  
Mike Perkins, RI.

- sent <sup>originals</sup> copies to B. Tracy L-114

- Guilbert
- Mullin
- Clough
- Culberson
- Davis
- Hallman
- Schadel
- Spangler
- Wandling
- Womack

1/29 - sent Myers a copy of  
Neely (1/31/81), Nimite,  
Galling, and Higgins (1/12/81).

214

2/3/81 - sent Myers copies of  
RI tapes # 1, 2, 3, & 4  
(RI - TMI)

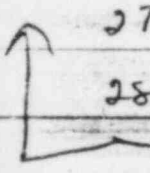
2/10/81 - sent Henry Myers a  
copy of the corrected xcript  
for Gallina (1/12/81).

2/2<sup>3</sup>/~~8~~ - sent Henry Myers a  
copy of the corrections to  
Higgins' 1/12/81 transcript.

3/26  
Bob Tracy

This box contains:

1. ~~copy~~ of interview with Charles Gallina  
1/12/81, \* corrected original.
2. \* interview of James Higgins, 1/12/81  
corrected original.
3. G. Smith interview 1/12/81 - corrected orig
4. G. Smith interview 6/11/80 - " "
5. D. Neely interview 1/13/81 - " "
6. R. Nimitz interview 1/12/81 - " "
7. Flint IE Tape # 275
8. Frederick, Faust, Schumann, Zewo,  
Ross IE Tape # 269
- ✓ 9. Faust Tape # 279
10. Frederick - TMS staff interview 3/20/79
11. Frederick - TMS staff interview 4/6/79
12. Frederick IE Tape # 56 & 57
13. Floyd IE Tape # 274
14. Flint 9/2/80 (2)
15. Janowski # 7
16. Janowski # 100, 101
17. Illies 9/24/80

18. Illies # 261
  19. Guthrie # 217, 218
  20. Higgins 10/7/80
  21. Higgins # 88
  22. Higgins 9/13/79 SIG
  23. Herbein 8/9/79 - Keweenaw
  24. Hitz # 54
  25. Hitz # 262
  26. Hitz # 301
  27. Hitz 9/12/79 SIG
  28. Hemmle # 229
- 
 # 8 thru 28 - give to Gina - they  
 are tied with string
29. Mehler 10/11/79 SIG (and corrections?)
  30. Mehler 10/30/79 SIG
  31. Mehler # 276 (met Ed interview)
  32. Marshall # 209
  33. Mehler # 213
  34. McGovern 5/4/79 met TMS staff interview
  35. Miller, Adam # 53
  36. Mulleavy # 240, 241
  37. Mulleavy # 300
  38. Mulleavy # 73, 74
  39. Letter: For Frompton From Baptist 12/4/79
  40. Logan # 182
  41. Logan # 183



42. Logan 9/12/79 SIG  
43. Leach # 107, 108  
44. Kunder <sup>18</sup>9/18/79 SIG  
45. Kunder # 83, 84  
46. Kunder # 256, 257  
47. Kunder # 246, 247  
48. Keaton # 287

# 29 thru 48 are tied with string - Give  
to Gina.



Bob

4/2

more info. from the IE investigation  
which resulted in NUREG 0760.

1. Transcripts from B&W - many
2. memo Cummings to Stello 1/7/81  
w/o enclosure
3. The sheet which contains the  
millivolt readings of core exit thermocouples  
taken on 3/28/79. Labeled "T/C"
4. memo Conte & Moslak to Mosley  
1/29/81
5. 2 interviews of Zewe done by  
TMI staff 4/6/79 & 3/30/79
6. Transcripts of Region I incident  
response tapes from 3/28
7. PNO-79-67
8. (2) Keating Notes, Smith & Brunner notes  
plus Region I "C" & "R" forms
9. letter to Miller from Rogers dated  
4/15/79
10. S. Conner memo to Haller, dated 4/20/79

John

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U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515

May 5, 1980

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FOR LEGISLATION

GARY G. ELLSWORTH  
MINORITY COUNSEL

*1. Copy to  
Nimmo M. & RDY  
2. Pass to VS*

TO: VICTOR STELLO

FROM: HENRY MYERS

Attached hereto are questions concerning the failure of Metropolitan Edison employees to provide government officials certain significant information during the early stages of the accident at TMI-2. Some of the questions have been answered previously in full or in part. The total set, I believe, helps to define the issues, and the answers would lead to conclusions as to the reason for the delay in State and Federal officials becoming aware of the accident's severity. In addition, the answers will help indicate whether there is a need for additional regulations regarding (1) reporting of information and (2) responsibility of plant managers to perform certain functions such as recording and analysis of plant parameters.

~~6647234565~~ 7pp.

8

✓ 1. At what time and to what extent were (1) Gary Miller, (2) off-site senior officials of Metropolitan Edison and/or General Public Utilities and (3) NRC officials informed that for a period of approximately 2 hours and 18 minutes primary coolant had been lost via the open PORV and letdown system and that during this period high pressure injection had been throttled?

2. On March 28, what efforts were made prior to 9:00 a.m. to determine the amount of primary system inventory loss prior to 6:20 a.m.?

3. What was the rationale for initiating high pressure injection at approximately 7:19 a.m. (See Kemeny, TATF Vol. 1, p. 113) throttling it at approximately 7:37 a.m., and initiating sustained flow at approximately 8:26 a.m.?

✓ 4. Which of the TMI supervisors present in the control room on March 28 believed that day that the core had been uncovered for some portion of the period between 6:00 a.m. and 9:00 a.m.? Which between 9:00 a.m. and 8:00 p.m.?

✓ 5. Was a record kept of data indicated by the extended scale readout device connected to the hot leg RTD? (See E&E, TMI-2, p. 297.)

✓ 6. What interpretation was assigned to the rapid hot leg temperature increase that occurred following shutdown of the reactor coolant pumps and which was recorded on a multipoint recorder located in the control room?

✓ 7. Which of the supervisors who observed the temperatures indicating superheated conditions in the TMI primary system believed that these temperatures did not necessarily mean the core was or had been uncovered? To the extent that the supervisors did not believe the core was or had been uncovered how did such supervisors explain such high temperatures?

✓ 8. Did Ivan Porter direct the technicians to take a second set of thermocouple readings using a digital volt meter?

9. Did the technicians inform Ivan Porter of all or part of the results of the second set of thermocouple readings; e.g. the set made using the digital volt meter?

10. What did Ivan Porter inform Gary Miller as to the reliability of measurements indicating temperatures in excess of 2000 degrees?

✓ 11. Did Gary Miller believe prior to 10:00 a.m. on March 28 that in-core temperatures might have been 2500 degrees or higher? (See I&E Tape 159, p. 51-52.) *and meaning*

12. What inference did Gary Miller draw from the fact that the in-core thermocouples might have gotten sufficiently hot, possibly hot enough that new junctions were formed, but in any case hot enough that their calibration would not be reliable? Did Gary Miller recognize that temperatures of sufficient magnitude to destroy the thermocouples would imply at a minimum that the core was uncovered? Did Gary Miller recognize that temperatures of sufficient magnitude to destroy the thermocouples might imply existence of a chemical reaction between the steam and zirconium cladding?

13. When Gary Miller said that the incores were hot enough that they scared him, that the direct measurements told him why the computer was off scale at 700 degrees, and that he knew "we were superheated and all that sort of thing", was he stating that core temperatures, in his view, were or had been in excess of saturation temperature? In making this statement was he confirming that he believed the core was or has been uncovered? If he did not believe superheated temperatures were synonymous with core uncover, what did he believe to be the source of such temperatures.

14. Ivan Porter told the I&E investigators that he was afraid the thermocouple measurements (e.g. indicating temperatures in excess of 2000 degrees) were real. How is this statement to be reconciled with others made by Porter to the effect that he discounted these measurements?

15. Which of the TMI supervisors present on March 28 were aware on March 28 of direct measurements of the in-core thermocouple voltages?

16. During the period March 28 through May 7 what happened to the sheet on which the March 28 in-core measurements made with the digital volt meter were recorded?

17. Which of the TMI supervisors present on March 28 were aware on March 28 of the in-core thermocouple data printed by the computer at 8:34 a.m., 8:47 a.m., 11:10 a.m., 12:40 p.m., 4:11 p.m., 6:30 p.m., 7:59 p.m., 8:56 p.m., and 9:56 p.m.? How was this data interpreted?

18. Was Gary Miller or any other TMI supervisor aware of Mr. Flint's monitoring the in-core thermocouples during the day on March 28?

19. On March 28 to whom did John Flint report with regard to in-core thermocouple or other data that he observed on that day?

20. On March 28, did any employees of Metropolitan Edison or General Public Utilities make calculations as to the extent of fuel failure based on data from the dome monitor or other instruments? Was any such analysis provided to the NRC?



21. On March 28, did TMI personnel monitor the recorders which displayed containment building temperatures? If so, what interpretation was assigned to the temperature increase that occurred approximately coincident with the reactor building pressure pulse at about 1:50 p.m.?
22. On March 28, did TMI personnel monitor the printer that displayed the alarms received at about 1:50 p.m.? If so, what interpretation was assigned to these alarms?
23. What were the circumstances leading to recording of the 1:50 p.m. reactor building pressure pulse as 4 psi on one log and about 5 psi on another?
24. Was Mr. Frederick in the control room at approximately 1:50 p.m. on March 28 at the time of occurrence of the reactor building pressure pulse and related events?
25. Which of the TMI supervisors present on March 28 was aware of the following which occurred at approximately 1:50 p.m.: pressure pulse, actuation of containment sprays, increase in containment temperatures, negative pressure pulses on instruments that used containment pressure as a reference, and subsequent alarm print out.
26. Which of the supervisors present on March 28 were aware prior to that day that actuation of the containment sprays required detection of a pressure pulse of at least 28 psi by at least 2 pressure sensors?
27. Was Gary Miller informed of the 1:50 p.m. pressure pulse and associated actuation of the containment sprays?
28. Was Mr. Illjes informed of the pressure pulse after arriving in the TMI control room on the afternoon of March 28? Did Mr. Illjes discuss with others in the control room on March 28 the possibility that a hydrogen explosion had occurred on that day? If such discussions did not occur on March 28, on what day and approximately at what hour did they occur?
29. Which TMI employees were instructed that they should not start equipment in the reactor building apparently out of concern that such action might produce an electrical discharge that would cause an explosion? Who issued such instructions? On what day were such instructions issued? What reconciliation can be made between Mr. Chwastyk's recollection that he was not in the shift supervisor's office on March 28 and Ross' contrary recollection?
30. Who instructed Mr. Chwastyk to establish a bubble in the pressurizer which he tried to do sometime after 2:00 p.m. during which effort the pressurizer block valve and/or PORV was closed at approximately 3:10 p.m.?



31. With whom did Gary Miller conduct telephone conversations during the period when he was at the Lt. Governor's office on the afternoon of March 28? What was the substance of such conversations?
32. What was the substance of the telephone discussion between Gary Miller and Lt. Governor Scranton that occurred at approximately 9:00 a.m. on March 28? Did Mr. Miller inform Mr. Scranton that a general emergency had been declared and what was the significance of a general emergency?
33. What was the substance of the discussion that took place when Lt. Governor Scranton was briefed by Messers Herbein and Miller beginning at approximately 2:30 p.m. on March 28?
34. With whom did Mr. Dieckamp confer prior to drafting his statement in a May 9, 1979 mailgram to Mr. Udall that: "There is no evidence that anyone interpreted the 'pressure spike' and the spray initiation in terms of reactor core damage at the time of the spike nor that anyone withheld any information?"
35. Did Mr. Dieckamp's failure to correct the foregoing erroneous statement in the mailgram sent to Mr. Udall and various NRC officials constitute a violation of any explicit or implicit NRC regulations or licensing conditions?
36. Which of the following would have been required on March 28 at TMI-2 by explicit or implicit NRC regulations or licensing conditions:
- Calculation of primary coolant loss;
  - Monitoring and interpretation of incore thermocouple data;
  - Monitoring and interpretation of multi-point recorder data indicating hot-leg temperatures;
  - Monitoring and interpretation of chart recorder indicating reactor building temperatures;
  - Monitoring and interpretation of alarm and utility printer printouts;
  - Calculation of fuel damage based on containment building radiation measurements and other data?
37. What violations of NRC regulations or licensing conditions may have occurred as a result of the failure to take any or all of the actions listed in the previous question?

38. The sheet on which the digital voltmeter measurements of incore thermocouple voltages were recorded was not made available to the NRC until approximately May 7 or later. Did the failure to provide this data to the NRC in a more timely fashion constitute a violation of explicit or implicit NRC regulations or licensing conditions?

39. Is there any indication that data recorded in the control room on March 28 was lost or destroyed? What kinds of data, if any?

40. Did the incorrect recording in TMI-2 logs of the magnitude of the pressure pulse (i.e. 4 psi and approximately 5 psi instead of 28 psi) constitute a violation of explicit or implicit NRC regulations or licensing conditions?

41. If Mr. Chwastyk sought in the afternoon of March 28 to establish a bubble in the pressurizer without receiving permission from the station manager or other authority designated by the station manager, would such an action constitute a violation by Mr. Chwastyk of any explicit or implicit NRC regulation or licensing condition?

42. Were Mr. Miller and/or other Metropolitan Edison officials obliged by explicit or implicit NRC regulations or licensing conditions to report on March 28, any or all of the following to State and/or Federal officials:

- loss of coolant via open PORV and letdown system and throttled high pressure injection between 4:00 a.m. and approximately 6:20 a.m.

- incore thermocouple data indicating temperatures in excess of 2000 degrees F.;

- computer print-outs of incore thermocouple voltages indicating presence of superheated conditions (and partial core uncover);

- hot-leg temperatures indicative of superheated conditions prevailing for most of the periods between 6:00 a.m. and 8:00 a.m.;

- the pressure pulse recording and other manifestations of a hydrogen detonation in the containment at 1:50 p.m.;

- that the reactor was being cooled via a process not described in the plant's operating procedures or one in which the operators were schooled; e.g. an event not analyzed in the TMI-2 FSAR;

- uncertainties during the day as to whether the core was uncovered?

43. Did the failure of Metropolitan Edison officials to report any of the foregoing in a timely fashion constitute a violation of requirements imposed explicitly or implicitly by NRC regulations and/or licensing conditions?
44. To what extent has Metropolitan Edison and/or General Public Utilities conducted an inquiry into the causes of the failure of Messers Herbein and/or Miller to fully inform their superiors as to conditions at Three Mile Island Unit 2 on March 28?
45. Does any failure of Metropolitan Edison and/or General Public Utilities to conduct any such inquiry as mentioned above constitute a violation of requirement imposed explicitly or implicitly by NRC regulations and/or licensing conditions?