

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of :
: METROPOLITAN EDISON COMPANY et al. : Docket 50-289
: (Three Mile Island Nuclear :
: Generating Station, Unit 1) :

STATEMENT OF MARJORIE AND NORMAN AAMODT (May 22, 1985)

Mr. Chairman, Commissioners, we thank you for this one last opportunity to address this august collegial body. In the event of a decision and order favorable to licensee, you may be assured that we will challenge that outcome in the outer courts. Although that challenge would be based on several issues we supported in this proceeding, today we will simply respond to your order CLI-85-08 which denied our requests for reconsideration and to reopen the record.

Your decision was based on your conclusion that we failed to meet the three standards for reopening the record:

1. Timeliness:

You conclude that "The Aamodts have not presented any justification for not requesting...(in June 24, 1984)...a reopening of the record." Our June 1984 motion requested that you, the Commission, verify the elevated cancer death rate and determine whether or not it was related to the TMI-2 accident. You made no attempt to verify the elevated cancer death rate, although you state in your denial that "the central issue raised by the Aamodts relates

to their allegation that there are elevated levels of cancer in the TMI area."

With the help of Judge Sylvia Rambo and the TMI Public Health Fund, we did verify the cancer death rate, obtaining all 20 death certificates. Only then was it appropriate to call for reopening the record. We did, thereby, meet the timeliness standard for reopening the record.

2. Whether Claims Raise A Significant Safety Or Environmental Issue:

- We would argue a prima facia case. Even GPU did not oppose our motion on these grounds.
- We would also note that the standard rests on the words "RAISE A SIGNIFICANT ...ISSUE", NOT PROVE a significant issue. It is, afterall, the purpose of the requested litigation to prove or disprove the allegations.
- We did, however, provide a showing of evidence which would cause a reasonable mind to inquire further. This is all we were required to do. We met this standard for reopening.

3. There Would Be A Likelihood Of Reaching A Different Result:

- You conclude that "health effects resulting from the TMI-2 accident are not related to a determination of whether TMI-1 can be safely operated today." Clearly, you erred in this

conclusion. You acknowledge in the same paragraph that our allegations concerning licensee's deception and neonatalhypothyrodism were relevant. Beyond this, the effects of licensee's alleged deception and our allegations that health effects are observed on plume lines far beyond the emergency planning radius on emergency is obvious. In this regard, we have provided you with an affidavit by Steven Forry, the individual responsible for implementing emergency plans in Newberry Township. He says that you do not have assurance that these plans will be implemented.

I will now discuss your dismissal of some of the evidence we presented.

- Neither you nor any of the parties challenged our evidence of

- symptoms which occurred among literally hundreds of people, in many cases prior to their knowledge that an accident had occurred, that are most reasonably explained as radiation exposure,

- radiation induced plant (flora) abnormalities,

- a grossly increased cancer death rate among people.

- You state that we "have not provided information that would lead us to question the (Pa) Department of Health's conclusions "that the tenfold increase in neonatalhypothyroidism observed in 1979 was not due to the accident. What fact could better discredit this conclusion, absent a hearing, than the quick return to normal levels after 1979?

- You reiterate your confidence in "the findings reached in earlier assessments of radiation releases from the TMI-2 accident." You know as well as I that these assessments were made in the absence of crucial data:

- For the period 4:00 am - 7:00 pm on March 28, 1979, the charcoal stack filters are missing, the period of most core damage.
- Offsite TLD's were grossly inadequate to define emissions.
- The makeup tank header leaked directly into the environment throughout the accident.
- The effect of plume touchdown was never considered.
- Airborne transuranics were not measured.

Beyond this there has been serious criticism of the earlier dose assessments by noteworthy scientists. You are familiar with the work sponsored by the TMI Public Health Fund (Jan Beyea).

-- I have also provided you with a hand written memorandum by Dr. Karl Morgan and an excerpt from a letter from CDC. You are dead wrong in relying on the early dose assessments to prevent hearing the health issue.

-- - You contend that currently there are no elevated levels of hazardous radionuclides offsite on the basis of an EPA informal field survey with sophisticated radiation monitoring equipment of sites selected by the Aamodts."

- An EPA official acknowledged that the alpha meter was inadequate to the task.

-- - The methodology precluded finding transuranics.

-- - You acknowledge that "Transuranic materials emit alpha radiation and could be another possible source of adverse health effects", but you allege that the presence of transuranics is not a significant safety issue because "The Staff has...concluded that the likelihood of measurable quantities of transuranic material becoming airborne and subsequently being released into the environment is low."

- In 1980, TMI personnel provided an aerosol sample taken from the TMI-2 auxiliary building to the Inhalation Toxicology Research Institute, Lovelace

Biomedical & Environment Research
Institute for analysis. They found that
as late as 1980, there were still
measurable quantities of plutonium,
americium and californium in the air of the
auxiliary building.

- We have a witness who will testify that
licensee did not measure, implant, for
transuranics, - Randy Thompson. (Affidavits
attached.)

- Transuranics, as released, could indeed
be expected to cause serious health effects.

This will be discussed by Dr. Carl Johnson.

- You conclude that our allegation that licensee
deceived the Pennsylvania Bureau of Radiation
Protection concerning radiation measurements
following a known release at about 7:00 am
March 23, 1979 over the area we studied was
unfounded. You based this conclusion on the
staff's response to our motion. The staff
discredited our allegation on the basis of a
telephone call which was alleged by your
investigators to have been made by Mr. Gerusky
at 9:00 am to PEMA, wherein he allegedly stated
that at that time he had been informed of survey
measurements at Goldsboro.

- The PEMA log has no such 9:00 am entry.

- The facts are just as Mr. Gerusky stated them on May 29, 1979: He held on the line while he waited for a non-existent survey team to report a non-existent radiation reading, which discounted the presence of the plume which we allege caused the sevenfold elevation of cancer deaths in its path.

You have a mandate to assure the protection of the health of residents around operating nuclear power plants. We have informed you of the likelihood that there is a population at risk at TMI. Because of our close personal involvement with many of these people and their reliance on us to prevail on their behalf, you may be assured that, should you fail to promptly take actions appropriate to their risk and your legal mandate, we will take every appropriate -- step to have this commission charged with nonfeasance.

We would note in closing that the NRC staff has on at least four occasions denied public access to our motions relating to health effects. We have written to Thomas R. Combs -- of your staff on April 26, 1985 and requested explanation of the denial of our motions to the public. One request we reference is that of Dr. Andrew Baum, Uniform Services University, Bethesda, Md. who has investigated psychological stress in the TMI area. Dr. Baum's office was informed that the NRC was unaware of the Aamodts or a motion.

DOCUMENTS REFERENCED BY STATEMENT OF MARJORIE AND NORMAN AAMODT
May 22 1985 Before the Commission

Commission Order CLI-85-08 (throughout)

Testimony of Steven Forry, Deputy Emergency Management Director for Newbury Township at the Suffolk County Legislature, New York, March 27, 1985 (page 3)

Handwritten Memorandum of Karl Z. Morgan, former director of Oak Ridge Laboratories, presently director of the TMI Public Health Fund, "Missing and Inadequate Data on Radionuclides Releases and Population Doses Resulting from TMI-2 Accident of March 28, 1979" (page 5)

Letter of January 7, 1985 from Centers for Disease Control (Dr. Glyn G. Caldwell) to Dr. Bruce Molholt (page 5)

Characterization Of An Aerosol Sample From Three Mile Island Reactor Auxiliary Building, G.M. Kanapilly et al., Inhalation Toxicology Research Institute, Lovelace Biomedical and Environmental Research Institute, P.O. Box 5890, Albuquerque, NM 87115, January 1981, Prepared for DOE (page 5,6)

Affidavits of Randall and Joy Thompson. (page 6)

Statement of Carl J. Johnson, M.D., M.P.H. (page 6)

Letter of April 26, 1985, Marjorie M. Aamodt to Thomas R. Combs, Chief, Correspondence & Records Branch, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 with attachments (three requests and NRC responses) (page 7)