

GEORGE W. GEKAS
17th DISTRICT, PENNSYLVANIA

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEES:

CRIMINAL JUSTICE--RANKING MINORITY MEMBER

CONSTITUTIONAL AND CIVIL RIGHTS

SELECT COMMITTEE ON AGING



Congress of the United States
House of Representatives
Washington, D.C. 20515

REPLY, IF ANY TO:

WASHINGTON OFFICE:

☐ 1008 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-4315

DISTRICT OFFICES:

☐ 1 RIVERSIDE OFFICE CENTER
SUITE 302
2101 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17110
(717) 322-8123

☐ HERMAN SCHNEEBEL FEDERAL BUILDING
P.O. BOX 808
WILLIAMSPORT, PENNSYLVANIA 17703
(717) 327-8161

☐ 25 NORTH FOURTH STREET
SUNBURY, PENNSYLVANIA 17801
(717) 288-8417

STATEMENT OF CONGRESSMAN GEORGE W. GEKAS
TO THE NUCLEAR REGULATORY COMMISSION
AT THE HEARING ON MAY 22, 1985

The Kemeny Commission, in its central conclusion about what led to the accident at Three Mile Island, stated that "The fundamental problems are people-related and not equipment problems.... We have stated that fundamental changes must occur in organizations, procedures, and above all, in the attitudes of people. No amount of technical 'fixes' will cure the underlying problem."

The "underlying problem" still plagues us at this juncture in the history of the accident at TMI. It is in the form and substance of all the outstanding unresolved issues crying out for attention:

- A. Management Integrity (e.g., the Dieckamp mailgram)
- B. Health Effects
- C. Cleanup

A. MANAGEMENT INTEGRITY

The Kemeny report insisted that "Nuclear power requires management qualifications and attitudes of a very special character as well as an extensive support system of scientists and engineers." Does a licensee that stands guilty of federal crimes and sentenced in federal court measure up to that standard?

8506060454 850522
PDR 10CFR
PT9.7 PDR

The issue of management integrity has not been given complete consideration in the hearings and meetings thus far held. The issue of restart should not even be debated, let alone implemented, before this issue has been resolved.

B. HEALTH EFFECTS

Throughout the process, scant attention has been paid to the health effects of the accident. The results are important in themselves, but they should be considered in the restart proceedings, if only because the full story of the accident and its cleanup should be told before restart of Unit 1 is even debated, much less implemented.

C. CLEANUP

No matter what protestations have been made to the effect that cleanup of the damaged reactor and restart of the idle reactor can co-exist, nothing can convince us that full dedication of manpower and resources to the cleanup would not be the surest and swiftest way to eliminate the contamination festering in Unit 2. We believe that total concentration on cleanup is the only way to insure the safety of the populace in the TMI area. Restart should not even be debated, let alone implemented, until this issue has been resolved.

**Three Mile Island
Nuclear Station**

Post Office Box 480
Middletown, PA 17057
717 948-8197

For Further Information
Contact:

Lisa Robinson, Gordon Tomb,
Doug Bedell

For Release:

Immediately

News Release
GPU Nuclear

Public Information Services

May 22, 1985
#43-85N

TMI-1 READY TO BE OPERATED SAFELY

Washington -- Senior officials of General Public Utilities Corporation and the GPU Nuclear Corporation told the Nuclear Regulatory Commission today that Three Mile Island Unit 1 is ready to be operated safely.

"GPU Nuclear is ready and able to operate TMI-1 safely," William G. Kuhns, Chairman and Chief Executive Officer of General Public Utilities Corporation, told the NRC. "The plant is ready and its operation will not present a safety concern to the timely and efficient cleanup of TMI-2."

Kuhns and two top officials of GPU Nuclear -- John F. O'Leary, Chairman of GPU Nuclear's Board of Directors, and Philip R. Clark, GPU Nuclear's President and Chief Executive Officer -- appeared before the NRC in a meeting the Commission called to hear comments from parties to the TMI-1 restart proceedings before its scheduled May 29 meeting to vote on restart.

GPU Nuclear is a subsidiary of General Public Utilities that was formed after the 1979 accident at TMI-2 exclusively to operate Three Mile Island Units 1 and 2 and GPU's other nuclear plant at Oyster Creek, N.J. The NRC approved GPU Nuclear as the licensed operator of Three Mile Island and Oyster Creek in January, 1982.

"The TMI-1 plant is ready to start up," Clark told the NRC commissioners.

-more-

May 22, 1985

#43-85N

"We have made appropriate modifications to respond to the lessons learned from the TMI-2 accident and from other nuclear operating experience. The steam generators have been repaired and returned to licensing basis condition.

"With the exception of a few items which can only be done during actual restart," Clark added, "the plant, including the steam generators and the modifications, has been tested and shown to be satisfactory."

TMI-1 was completing a refueling when the Unit 2 accident occurred. GPU returned the plant to cold shutdown. In the summer of 1979, the NRC issued two orders -- known as the TMI-1 shutdown orders -- that had the effect of keeping Unit 1 shut down without a prior hearing. It is those orders that the Commission is now considering lifting.

"The issues which formed the basis for immediate effectiveness of the shutdown orders," Clark told the Commission, "have been investigated, discussed, litigated at length, and resolved. The plant and its staff meet or exceed all the established criteria for granting permission to operate.

"There is before you ample basis to make a favorable decision on restart of TMI-1. In view of the severe adverse effects of continued shutdown, we believe that both law and fairness require that lifting of the shutdown orders be made immediately effective."

In his remarks, Kuhns said: "The GPU System response to the TMI-2 accident has been sweeping and broad. We have made substantive changes in all aspects of our nuclear program. It has not been a quick fix, rather a deliberate, thoughtful program of developing what we want to be the finest nuclear operation in the country."

"We have a corporate and a personal commitment to safety and excellence," Kuhns added. "We accept responsibility for what has happened; and although

May 22, 1985
#43-85N

the operation of TMI-1 will continue to be subject to more scrutiny than any other plant in the world, we realize that external scrutiny does not relieve us of our continuing responsibility for safety and excellence."

"In concluding his portion of the GPU presentation, Kuhns told the Commissioners: "With the respect for the technology that has grown out of our unprecedented experience and learning, and with confidence based on the nuclear team we have in place today, we ask for your approval. I assure you, that approval will not relax our commitment to safety and excellence but will be accepted by us as a trust which we will not violate."

Clark said that GPU Nuclear's "organization and its people are ready to operate the plant safely." He noted that the organization and key operating management at TMI-1 have been in place since GPU Nuclear became the licensed operator of Three Mile Island in 1982.

"They have demonstrated the ability to modify and maintain the plant and, to the maximum extent possible under the shutdown order, to operate the systems and equipment," Clark said. "The staff has extensive operating experience. We have a full, six shifts of trained and licensed operators and full-time, on shift qualified shift technical advisors.

"We also have special, degreed Q-A (Quality Assurance) monitors on shift. In addition, our programs in such vital areas as Training, Quality Assurance and Radiological Controls have been expanded and enhanced to where they are among the best in the industry."

Clark noted that there have been four, full-scale emergency drills at TMI-1 and that both the NRC and the Federal Emergency Management Agency have "formally concluded that Emergency Preparedness at TMI and in the surrounding counties has been demonstrated to be adequate to protect public health and safety."

May 22, 1985
#43-85N

Clark added that evaluations of TMI-1 from an NRC inspection program, the Systematic Assessment of Licensee Performance, and the Institute of Nuclear Power Operations are also available.

The NRC TMI-1 restart proceeding, Clark said, has been "unprecedented," involving six years of proceedings, evaluations and investigations, over 3,000 pleadings, over 2,000 statements, some 200 witnesses who were subject to cross examination at public hearings, over 30,000 pages of transcripts plus additional tens of thousands of pages of testimony and supporting information and over 2,500 pages of formal opinions.

"All pertinent issues have been addressed and shown to pose no significant safety questions related to TMI-1 operation," Clark said.

He told the NRC that "there have been and likely will continue to be attempts to re-raise old issues or introduce new allegations here at the last minute. We have confidence that these will be recognized for what they are. It is clear that some of the parties involved will never be satisfied to see TMI-1 operate and will continue to seek any basis for delay."

Touching on startup itself, Clark said: "Startup of any plant after a substantial shutdown period always identifies some problems. TMI-1 will be no exception. However, we have defined a careful program for restart including an extensive test program. We also will operate for several weeks at two intermediate power levels to provide added assurance of equipment performance and operator familiarity before we proceed to full power."

In his remarks to the NRC, John F. O'Leary, Chairman of the Board of GPU Nuclear, told the NRC that the board's Nuclear Safety and Compliance Committee (NSCC) "identified no instances of non-compliance" in its latest report to the

May 22, 1985
#43-85N

board, dated April 15. The NSCC is comprised of O'Leary and three other members of the GPU Nuclear board from outside the GPU System companies, and has its own staff. O'Leary is a former top official of the U.S. Department of Energy.

"The mission of GPU Nuclear," O'Leary said, "has been formally defined and gives unequivocal priority to safety. All of us who serve as outside Directors of the Board, including the three who form the Nuclear Safety and Compliance Committee, are fully satisfied that the priority on safety is fully understood and accepted by GPU Nuclear management and that the members of management are qualified and dedicated to carrying it out.

"There have been suggestions," O'Leary added, "that improper pressures that are counter to safety have been exerted by senior management of the Corporation....We can assure you that no such pressures exist.

"In the Board's view, all resources needed to conduct the nuclear operations safely have been and are being provided," O'Leary said.

###