

Statement of Policy; Programmatic Environmental Impact Statement of the Cleanup of Three Mile Island Unit 2

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Statement of Policy.

SUMMARY: On November 21, 1979, the Nuclear Regulatory Commission directed the staff to prepare a Programmatic Environmental Impact Statement (PEIS) on the decontamination and disposal of radioactive wastes resulting from the March 28, 1979 accident at Three Mile Island, Unit 2. A Statement of Policy and Notice of Intent regarding that decision was published in the Federal Register on November 27, 1979 (page 67738). As stated at that time: "In the Commission's judgment an overall study of the decontamination and disposal process will assist the Commission in carrying out its regulatory responsibilities under the Atomic Energy Act to protect the public health and safety as decontamination progresses. It will also be in keeping with the purposes of the National Environmental Policy Act to engage the public in the Commission's decisionmaking process, and to focus on the environmental issues and alternatives before commitments to specific clean-up choices are made." As directed, the Commission's staff has now completed a final programmatic environmental impact statement on all phases of the cleanup of TMI Unit 2 to meet the foregoing objectives.

Preparation of this final statement has had the benefit of extensive comments from government agencies and the public. Comments on the draft PEIS from the Advisory Panel for the Decontamination of TMI-2 (a panel which the Commission established to provide independent advice from local officials, scientists and individuals in the area) had not been received prior to completion of the PEIS. However, the Commission has now received the Panel's comments and finds that the staff's final PEIS is responsive to those

comments. The Commission concludes that this statement satisfies our obligations under the National Environmental Policy Act (NEPA).

Now that the environmental impact statement for TMI-2 has been published, the Commission believes that the licensee should accelerate the pace of the cleanup to complete expeditiously all decontamination activities consistent with ensuring protection of public health and safety and the environment.

As the licensee proposes specific decontamination alternatives for each major cleanup activity, the staff will determine whether these proposals and the associated impacts that are predicted to occur fall within the scope of those already assessed in the PEIS. If they do not, additional reviews will be undertaken in accordance with NEPA. Each proposed cleanup activity will be carefully reviewed to assure that all applicable NRC requirements to protect the health and safety of the public are met. If a specific proposal requires an amendment to the facility operating license, public notice will be provided in accordance with Commission regulations. The staff may act on each major cleanup activity if the activity and associated environmental impacts fall within the scope of those already assessed in the PEIS. The staff will keep the Commission informed of staff actions on each major activity prior to staff approval of the major activity.

If any cleanup activity and associated environmental impacts fall outside the scope of those already assessed in the PEIS, the staff shall complete necessary reviews in accordance with NEPA and NRC requirements, and submit recommendations to the Commission.

Any future proposal for disposition of processed accident-generated water shall be referred to the Commission for approval.

On September 28, 1980, this Commission issued a Statement of Policy on the Pennsylvania Public Utility Commission's order to the licensee to cease and desist from using any operating revenues for cleanup and restoration costs at TMI-2 which are not covered by insurance. We reiterate here

our previous position that we will not excuse the licensee from compliance with any order, regulation or other requirement imposed by this Commission to protect public health and safety and the environment.

Furthermore, the cleanup should be carried out in accordance with the criteria in Appendix R of the PEIS as well as in conformance with the existing operating license (DPR-73) and with previously imposed orders. The appendix R criteria specify limits on the doses which may result to offsite individuals from radioactive effluents resulting from cleanup and decontamination activities. Those criteria supplement the existing restrictions on the licensee's cleanup activities.

The Commission expects to receive continuous advice from the TMI-2 Advisory Panel on major activities required to accomplish expeditious and safe cleanup of the TMI-2 facility. This advice will be important to the Commission throughout the cleanup process.

Dated at Washington, D.C., this 27th day of April 1981.

For the Nuclear Regulatory Commission,
Samuel J. Chilk,
Secretary of the Commission.