

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

STATEMENT OF POLICY

The Pennsylvania Public Utility Commission (PUC) has ordered Metropolitan Edison Company (Met Ed) to cease and desist from using any operating revenues for clean-up and restoration costs at the damaged Three Mile Island Unit 2 reactor which are not covered by insurance. Met Ed's activities at Three Mile Island are licensed by the Nuclear Regulatory Commission. On September 23, 1980, Met Ed, in a petition for a temporary stay of the above cease and desist requirement, stated that it was unable to comply with that order "without violating Federal law." It is that statement by Met Ed which prompts this Commission to issue this policy statement.

While we will continue to work cooperatively with the State of Pennsylvania on all aspects of the Three Mile Island accident, this Commission emphasizes most strongly that all of our health, safety and environmental requirements applicable to Three Mile Island Unit 2 must be fully complied with by Met Ed. We take no position on whether the actions of the PUC create an irreconcilable conflict with NRC requirements which have been imposed on Met Ed or which may be imposed in the future. We wish to state clearly, however, that in the event of any such conflict NRC health, safety and environmental requirements must supersede State agency requirements that result in a lesser degree of protection to the public. In short, the Commission will not excuse Met Ed from compliance with any order, regulation or other requirement imposed by this Commission for purposes of protecting public health and safety or the environment.

issued 9/26/80