

Susquehanna River Basin Commission
Reduces Three Mile Island's Water Permit to
Align With Permanently Shut Down Nuclear Plants

Water use at Three Mile Island ("TMI") is regulated by the Susquehanna River Basin Commission ("the Commission" or "SRBC"). Three Mile Island Unit-1 ("TMI-1") was shut down in September of 2019, and its permission for water use expired in October of 2021. Since the core melt accident at Three Mile Island Unit-2 ("TMI-2"), that reactor has been permanently shut down.

Based on the SRBC's Order (Enclosed) on December 15, 2022, TMI-1 no longer has access to enough water to operate a nuclear power plant. Unit 2 has no rights to withdraw water. In addition, TMI-2 has no water infrastructure or intakes, and would have to construct a water line or install storage tanks for a water supply. Water use at Three Mile Island is complicated by the fact that ownership is split between two separate licenses.*

TMI-Alert raised concerns throughout the SRBC Proceeding, and supported the modification in TMI's permit that added Paragraph 24 to the Order. This stipulation allows for a minimal withdrawal of groundwater from TMI-1 to TMI-2 to be capped. Any modification to increase water use for TMI-1 or TMI-2 would require a new proceeding.

The SRBC does not monitor radioactive water discharges. Eric Epstein cautioned the SRBC Commissioners that TMI's prior owners had attempted to dump 700,000 gallons of radioactive water into the Susquehanna River. Mr. Epstein addressed the Commission on December 15, 2022, and asked them to negotiate a Memorandum of Understanding with the Army Corps of Engineers and the Nuclear Regulatory Commission to monitor water releases into the Susquehanna River.

TMI: Consumptive Water Use:

Before: 19.2 mgd per monthly average.

After: 6.0 mgd per monthly average.

TMI: Surface Water Use:

Before: 122.8 mgd per monthly average.

After: 44 .0 mgd per monthly average.

TMI: Ground-Water Withdrawals:

Before: .255 mgd per monthly average.

After: .099 mgd per monthly average.

MGD = Millions of Gallons Per Day.

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What is the Susquehanna River Basin Commission?

Any consumptive water use of 20,000 gallons per day (“gpd”) or more over a 30-day average from any water source is regulated by the SRBC. All consumptive water use for nuclear activities must obtain Commission approval.

Water withdrawals of 100,000 gallons per day or more over a 30-day average from any source or combination of sources within the Basin are regulated by the SRBC. All water withdrawals that supply water to a regulated consumptive use are also regulated. All water withdrawn for nuclear activities must obtain Commission approval.

What Can the SRBC Do If Nuclear Plants Violate Their Permits?

In the past, both PECO and PPL were fined by the SRBC for illegal water withdrawals. Both plants increased consumption without permission after completing Power Upgrades. In December, 2006, Exelon paid a \$640,000 fine at Peach Bottom, and PPL paid a \$500,000 fine at Susquehanna in September, 2007. PECO is now rebranded as Constellation. PPL was sold to Talen Energy. Talen is currently bankrupt.

Who Owns Three Mile Island?

TMI-1: Exelon no longer owns or operates Three Mile Island Unit-1. On February 24, 2021, Exelon Corporation announced that it intended to transfer 100% ownership of its subsidiary, Exelon Generation, LLC to a newly-created subsidiary that will then be spun-off, becoming Exelon Generation’s new ultimate

parent company. As a result of this transaction (the “Generation Spin Transaction”), Exelon Generation and its subsidiaries are now owned by Constellation.

TMI-2 Solutions: Is a Limited Liability Corporation organized in Delaware, based in Utah, and a wholly owned subsidiary of *EnergySolutions*, This corporate gimmick owns Three Mile Island Unit-2, and controls nearly \$1 billion in ratepayer decommissioning funds. TriArtisan, which is a privately held equity company based in New York, owns *EnergySolutions*. TriArtisan’s shares are owned by investors from outside of the nuclear industry such as Sara Lee Desserts and TGI Fridays, and 28% of the company is owned by foreign investors.