



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 5, 1979

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U. S. Nuclear Regulatory Commission
Washington, D. C. 20555



In re: Metropolitan Edison Company, et al.
(Three Mile Island Nuclear Station,
Unit 2) Docket No. 50-320

Dear Sirs:

The purpose of this letter is to confirm the agreement reached during the telephone conference held this morning with regard to the above-styled proceeding. Pursuant to that agreement:

1. The further evidentiary hearing will commence at 9:00 a.m. on Wednesday, April 4, 1979, in Harrisburg, Pennsylvania. The Commission's Docketing and Service Branch has been requested to obtain, as soon as possible, a suitable specific location for the hearing. As soon as this has been accomplished, a formal notice of hearing will be promptly issued.
2. The Board will receive first the testimony of the commercial airline pilots to be offered by the NRC staff on the landing pattern issue discussed in Part I of ALAB-525, 9 NRC ____ (February 1, 1979). Because those pilots will be appearing under subpoena, their testimony need not be submitted in written form in advance of the hearing. As soon as the precise location of the hearing is ascertained by it, the staff will prepare and submit to the Board for approval and signature appropriate subpoenas.

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3. The Board will next hear the testimony of the passenger witnesses to be offered by the intervenors on the landing pattern issue, assuming that those witnesses will be available on April 4. If the witnesses will not be available on that date, their testimony will be received on the following day, April 5. The intervenors will file and serve a summary of the testimony on or before March 20, together with copies of any photographs which intervenors propose to offer as exhibits.

4. Both the applicants and the staff (but not the intervenors) will offer affirmative evidence on the matters discussed in Part II of ALAB-525. This evidence will be heard either after or before the testimony of the intervenors' passenger witnesses (depending upon the availability of the latter on April 4). The staff's Part II testimony will be filed in written form on or before March 16; that of the applicants will be filed on or before March 20.

5. It is the present expectation of the Board that the hearing will be concluded sometime on April 5. If necessary, however, the hearing will continue on April 6.

It is the understanding of the Board that, although it has not participated in the telephone conferences and does not intend to submit affirmative evidence on any of the matters to be further explored, the Commonwealth of Pennsylvania proposes to be represented at the forthcoming hearing. Should it be so represented it will be free to participate fully in the hearing (including the conduct of cross-examination of the witnesses presented by the other parties).

Sincerely yours,

Romayne M. Skrutski
Secretary to the
Appeal Board

cc: Ms. Karin W. Carter
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