

7-7-73

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
METROPOLITAN EDISON COMPANY, ETAL) Docket No. 50-289
)
(Three Mile Island Nuclear Station)
Unit 1))

CERTIFICATE OF SERVICE

I hereby certify that copies of ORDER dated July 7, 1973 in the captioned matter have been served per the attached Service List by deposit in the United States mail, first class or air mail, this 9th day of July 1973.

Reginald G. Sawney
Office of the Secretary of the Commission

cc: Mr. Haskins
Mr. Gallo
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ATOMIC ENERGY COMMISSION

In the Matter of)
)
METROPOLITAN EDISON COMPANY, ET AL.)
)
(Three Mile Island Nuclear Station,)
Unit 1))

Docket No. 50-289

SERVICE LIST

Charles H. Haskins, Esq., Chairman
Atomic Safety and Licensing Board
Windy Hill Farm
Bluemont, Virginia 22012

Dr. M. Stanley Livingston
1005 Calle Largo
Santa Fe, New Mexico 87501

Dr. John R. Lyman
Department of Environmental
Sciences and Engineering
University of North Carolina
Chapel Hill, North Carolina 27514

Max D. Paglin, Esq., Alternate
Chairman
Atomic Safety and Licensing Board
U. S. Atomic Energy Commission
Washington, D. C. 20545

Mr. Ralph S. Decker
Route 1, Box 190D
Cambridge, Maryland 21613

George F. Trowbridge, Esq.
Jay E. Silberg, Esq.
Shaw, Pittman, Potts & Trowbridge
910 17th Street, N. W.
Washington, D. C. 20006

Joseph Gallo, Esq.
Howard M. Wilchins, Esq.
Regulatory Staff Counsel
U. S. Atomic Energy Commission
Washington, D. C. 20545

Honorable Frank R. Clokey
Special Assistant Attorney General
Commonwealth of Pennsylvania
Department of Environmental Resources
219 Towne House
Harrisburg, Pennsylvania 17105

Herbert C. Goldstein, Esq.
133 State Street
Harrisburg, Pennsylvania 17101

Lawrence Sager, Esq.
Sager & Sager Associates
45 High Street
Pottstown, Pennsylvania 19464

Douglas Baker, Esq.
Environmental Coalition on
Nuclear Power
1919 Sandy Hill Road
Norristown, Pa. 19401

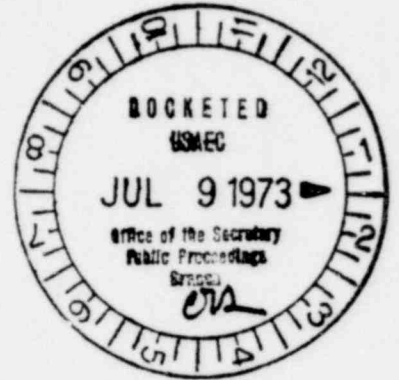
Miss Mary V. Southard, Chairman
Citizens for a Safe Environment
P. O. Box 405
Harrisburg, Pennsylvania 17108

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UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
METROPOLITAN EDISON COMPANY) Docket No. 50-289
JERSEY CENTRAL POWER & LIGHT COMPANY)
and)
PENNSYLVANIA ELECTRIC COMPANY)
(Three Mile Island Nuclear Station,)
Unit 1))

ORDER
(July 7, 1973)

The Board on May 31, 1973, issued a post Prehearing Conference Order, ruling on certain matters and setting a schedule for further procedural steps. By order of June 20, 1973 the Board, at the request of the Intervenors, extended the final date for requests for discovery.

By motion dated June 22 and docketed June 25, 1973, the Regulatory Staff moved for reconsideration of the

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Board's May 31, 1973 order; ^{1/} the Applicants filed an answer on June 29, 1973. No formal answer has been filed by the Intervenors.

THE ISSUES

I

The Board does not believe that further clarification of its discussion of challenges to the Commission regulations in a licensing proceeding is required at this time.

II

The Board did not, and will not now, rule specifically on Intervenors' contentions a, f, g, 15[second], 16 and 17, some of which were challenged in whole, and

^{1/} Staff counsel asserts that he did not receive a copy of the May 31 order until June 5, 1973. In accordance with 10 CFR §2.751a(d), the Regulatory Staff may file objections to a post Prehearing Conference order within ten days after service. Even counting from June 5, the June 22, 1973 motion is beyond the ten-day period permitted by the regulations. However, absent objection by the other parties, the Board is willing to accept the Staff's motion as a late-filed document.

some only in part, by the other parties. The Board's observations at the Prehearing Conference and in its May 31, 1973 order were for the purpose of giving guidance to the Intervenors when they reframe their contentions.

III

The Board in its order stated that it contemplated holding a second Prehearing Conference during the week of July 30, 1973. The Regulatory Staff now requests that the conference be scheduled for the week of August 13, 1973. The Applicants oppose this request. It should be clear to all parties that the July 30, 1973 date was tentative. The Board would now contemplate holding a second Prehearing Conference during the week of August 6, 1973.

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IV

The Applicants have requested that the date for responses to discovery be extended from July 5 to July 12, 1973 and state that Intervenors' counsel has no objection. The request will be granted; also the Board will sua sponte extend the time for filing a revised statement of issues for one week.

CONCLUSIONS

Accordingly, the following revised schedule will govern:

Responses to discovery shall be completed by July 12, 1973.

A revised statement of issues shall be filed by the joint Intervenors on or before July 26, 1973.

The precise date for a second Prehearing Conference shall await further order of the Board.

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To the extent not granted herein, all other requests contained in the Motion for Reconsideration are hereby denied.

It is so ordered.

BY THE ATOMIC SAFETY AND LICENSING BOARD:

Charles A. Haskins
Charles A. Haskins, Chairman

Issued at Washington, D.C.
this 7th day of July, 1973.

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