

Central Files

SEP 7 1977

50-289

MEMORANDUM FOR: E. L. Jordan, Executive Officer for Operations Support
 FROM: W. P. Ellis, X00S
 SUBJECT: IMMEDIATE ACTION LETTERS

Attached is an Immediate Action Letter to Metropolitan Edison Company which departs from the current policy for such correspondence to a licensee. We have made some effort to eliminate the indication that a licensee has "agreed" to do certain things because this implies that we have prescribed the corrective action. As you know, it is generally the case that we have arrived at a mutual understanding with the licensee of what appears to be appropriate corrective action. However, we do not write it in such words as to indicate that we told the licensee what to do. The licensee may do those specific things discussed and then have problems. We have tried to indicate that the problems of safe operations are the responsibility of the licensee. Because of such wording in a similar letter to Atlantic Research, we now have the licensee saying in a hearing "I did all of the things you told me to do and you still imposed a civil penalty."

Secondly, IAL's do not request or command. The word "shall" is generally reserved for an order. As you know, we generally say "it is our understanding that you plan to take (or will take) the following corrective action: (1) Inspect to determine the condition ..., examine by liquid penetrant test, etc. (2) Initiate pump replacement/repair immediately if defects are identified..., etc."

I am not sure that X00S receives IAL's for policy review. We have not seen many in the last several weeks. We have asked the data processing group to change the 766 Form to collect information concerning IAL's but until that is done we have been collecting this information for the quarterly report by keeping a file of all IAL's referred to X00S for review.

Original signed by
 P.W. Ellis

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W. P. Ellis, Executive Officer
 for Operations Support

Enclosure:
 Ltr GPier to Metropolitan Edison
 Company dtd 9/1/77

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| SURNAME → | WPEllis:kbj | | | 772160452 | |
| DATE → | 9/7/77 | | | | |