

FROM: Thomas B. Schmidt, III Pepper, Hamilton & Schetz		ACTION CONTROL		DATES		CONTROL NO. 03481	
TO: Case		COMPL DEADLINE 3/28/78		ACKNOWLEDGMENT		DATE OF DOCUMENT	
		INTERIM REPLY				3/1/78	
		FINAL REPLY 4/1/78				PREPARE FOR SIGNATURE OF:	
		FILE LOCATION 4/27/78				<input type="checkbox"/> CHAIRMAN <input type="checkbox"/> EXECUTIVE DIRECTOR OTHER: Case	
DESCRIPTION <input checked="" type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER				SPECIAL INSTRUCTIONS OR REMARKS			
req ruling on the effect of a pardon on the classification of employees by Three Mile Island security regulations (specifically the Commission regulations in 73.55) (Re: David L. Bowers)				<div style="text-align: right;"><i>9/1/78</i></div>			
CLASSIFIED DATA							
DOCUMENT/COPY NO.		CLASSIFICATION					
NUMBER OF PAGES		CATEGORY					
POSTAL REGISTRY NO.		<input type="checkbox"/> NSI <input type="checkbox"/> RD <input type="checkbox"/> FRD					
ASSIGNED TO:		DATE		INFORMATION ROUTING		LEGAL REVIEW	
Case		3/14/78		Minogue		<input type="checkbox"/> FINAL <input checked="" type="checkbox"/> COPY NO LEGAL OBJECTIONS NOTIFY:	
M. Hef				Volgenau		<input type="checkbox"/> EDO ADMIN & CORRES BR EXT.	
				Shaper		COMMENTS, NOTIFY: EXT.	
						JCAE NOTIFICATION RECOMMENDED: <input type="checkbox"/> YES <input type="checkbox"/> NO	

NRC FORM 232
(11-75)

EXECUTIVE DIRECTOR FOR OPERATIONS

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PRINCIPAL CORRESPONDENCE CONTROL

POOR ORIGINAL

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March 1, 1978

Mr. Edson G. Case, Acting Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory
Commission
Washington, D. C. 20555

RE: David L. Bowers

Mr. Case:

I have learned that the Three Mile Island nuclear power facility, owned by the Metropolitan Edison Company, has received the Commission's approval of certain security regulations that govern the access of employees and non-employees to protected and vital areas within the facility. These security regulations are part of the Three Mile Island technical specifications submitted to the Commission as part of the licensing application. They are governed generally by the Commission's regulations published at 42 Federal Register 10836-10840, specifically sections 73.55(d)(5) and (6).

While I have not seen the Three Mile Island security regulations, I understand that they prohibit access to protected and vital areas by any person who has been convicted of a crime, unless that person is escorted by someone qualified as an escort under the regulations. Mr. Bowers has been convicted of a crime and accordingly can only work within the restrictions imposed by the Three Mile Island security regulations.

1583 237

Copy of Dir.
of Nuclear Reactor
Regulation
3/1/78
7:54 PM

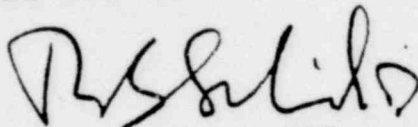
Mr. Edson G. Case

- 2 -

March 1, 1978

I have advised Mr. Bowers that he should apply for a pardon from the Governor, in the hope that if he is pardoned he may be able to change his status under the security regulations. His concern is not that the need to work with an escort is overly burdensome but that he is effectively prohibited from advancing within his trade as long as he must work in the company of an escort, and can never qualify as an escort himself whenever he works.

I am writing to obtain a ruling from your office on the effect of a pardon on the classification of employees by the Three Mile Island security regulations you have approved. I am sending a copy of this letter to John Wilson, Esquire, counsel for the Metropolitan Edison Company.



Thomas B. Schmidt, III

copy: Mr. David L. Bowers
John Wilson, Esquire

1583 238