

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION.

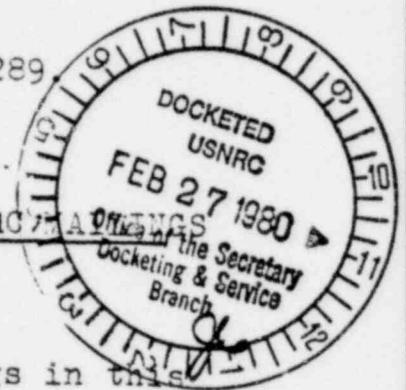
RELATED CORRESPONDENCE

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD.

In the matter of  
METROPOLITAN EDISON COMPANY  
(Three Mile Island, Unit 1)

DOCKET No. 50-289

INTERVENOR LEWIS'S SPECIAL PROBLEM WITH RECEIVING NRC MAILINGS  
AND SUGGESTIONS FOR RELIEF.



NRC rules (Part 2 Para 2.710) and the Board's rulings in this Docket have assumed that 5 days for mail service is adequate. Intervenor Lewis assumed likewise. Mail service from most parties has run five days or less.

There is one notable exception.

NRC mailings from the Staff to Intervenor Lewis specifically on this Docket have been running consistently longer than 5 days.

Letter Lucinda Low Swartz to Lewis dated 2-6-80 received 2-14-80.

" Collins	to Arnold "	2-11	"	2-19 (2 letters)
" Eisenhut	to All Lic "	1-29	"	2-15
" Varg	to All Eds "	1-24	"	2-19
" <sup>to ALL NRC</sup> Varg	to ALL NRC "	2-13	"	2-21

Normally, the Board should not be troubled with the minor scheduling difficulties experienced by the US Mail. However, There is a pattern here that puts Intervenor Lewis at a special disadvantage and thereby limits effective participation.

First, mailings from the Licensee generally take only 4 days to arrive. No Licensee mailings have taken over 5 days. Mailings from other intervenors have only taken one or two days.

CEA's Motion To Permit Oral Argument was mailed on the 15th and arrived on the 19th.

Intervenor Lewis tried the following experiment.

While in D.C. to attend the PR 50, 51 Waste Confidence Hearings at 1717 H St, Intervenor Lewis mailed several items from the Post Box at the corner. One of these letters was addressed to himself. Upon returning to his residence 3 days later, the letter was awaiting him.

This leads me to believe that the problem with the slow delivery of NRC Staff communications to Intervenor Lewis is due to internal handling problems within the NRC.

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The Relief which Intervenor Lewis seeks is that the Board directs that the staff place mailing to Intervenor Lewis in a public

Post box and not use the NRC internal mailing apparatus. Intervenor Lewis seeks this special relief because of the following special circumstances:

1. Intervenor Lewis is far from the LPDR and the other repositories in the Harrisburg and D.C. areas and must make special arrangements to survey any documents mentioned in the Staff's submittals.
2. Intervenor Lewis's Associate\* , Susan Barley, is without a car , temporarily, and works a full time job. Coupling this situation with the curtailment of operating hours at the Licensee's Discovery Reading Room, Intervenor Lewis has a very special problem in researching documents in the Harrisburg/TMI area which is only exacerbated by slow mail delivery.
3. The letters, Collins to Arnold dated 2-19-80 and the letter, Eisenhut to allpower reactor licensees dated 1-29-80 , are subjects of interrogatories on the Lewis Contention. If the Board hadn't extended the time for filing interrogatories, the above mentioned letters would have arrived too late to aid in providing an adequate record.

Ms Barley reported to Intervenor Lewis that Objections to Items previous to the Prehearing Conference could be objected to until 25 Feb 1980. Intervenor Lewis requests that the Board consider the above a timely filing considering the Board's Statements at the Prehearing Conference on 2-13-80.

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\*Intervenor Lewis has fashioned Ms Barley's aid in these proceedings by referring to her as his Associate. The word , Associate, has caused some confusion. Intervenor Lewis used the term ,Associate , to mean "a colleague , joined in duty and purpose." The word , associate , does not refer to any degree or profession in common useage.