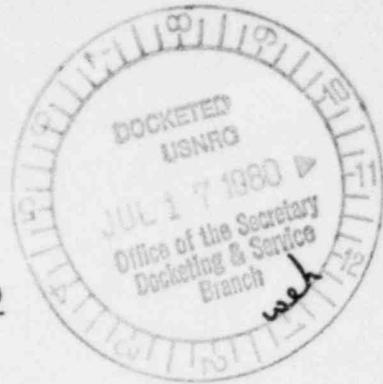


Lic 7/14/80

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



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

LICENSEE'S REPORT ON  
EMERGENCY PLANNING MEETING

A meeting among parties to the TMI-1 Restart proceeding was held from 6:30 p.m. to 10:00 p.m. on July 11, 1980, for the purpose of discussing Revision 2 to Licensee's Emergency Plan. Attached hereto is a list of people attending that meeting. As indicated in Licensee's memorandum of July 3, 1980, topics discussed at the meeting included the general structure and content of Licensee's Emergency Plan and the specific changes made in Revision 2 to the Plan. In addition, substantial time was spent responding to questions raised about the Emergency Plan.

The Board's Memorandum of July 7, 1980 directed the parties to discuss a schedule for lifting the emergency planning suspension. Licensee proposed that revised contentions based upon new material in the Emergency Plan be filed on July 31, 1980. This date was chosen for a number of reasons. It is 20 days after the meeting and the Board had earlier been of the view that 20 days was a sufficient time within which to amend emergency planning

8007180 421

contentions. Memorandum and Order (May 22, 1980), at p. 14. As a result of the July 11 meeting, the concerns raised in the Board's Memorandum and Order of June 19, 1980 over the difficulty of sorting new material from old material should be eased. Similarly, the concerns expressed by the Board with respect to the possible burden from revising emergency planning contentions while digesting material contained in the NRC Staff SER and "Class 9" sequence report have greatly subsided with the passing of time. Indeed, one of the intervening parties, ANGRY, filed revised emergency planning contentions on the schedule initially set by the Board. The final factor which favors a July 31 date for revised contentions is that such a deadline will permit Licensee to respond to any objectionable contentions prior to the Final Prehearing Conference scheduled for August 12, 1980, and to have the matter resolved in the subsequent prehearing conference order. In this manner work on emergency planning will be able to continue in parallel with the rest of the prehearing activities and will not be on a separate track. This is especially important since emergency planning is an area totally resolved in the NRC Staff SER and therefore ripe for adjudication. Any schedule which sets revised emergency planning contentions after July 31 is likely to result in delayed consideration of those matters.

Newberry Township Steering Committee ("Newberry") proposed that revised emergency planning contentions be due by August 31, 1980. In support of this date Newberry and the other intervening parties raised several points. First, it was believed that addi-

tional time was necessary to review the Emergency Plan. This is especially true of the state and county plans which also were substantially revised. Second, since the NRC's rulemaking on emergency planning is likely to issue sometime this summer, the August 31 date would allow consideration of the final rule during the framing of revised contentions. Third, it is likely that on the basis of NUREG-0654, FEMA and NRC will release further evaluations of the state/county and Licensee emergency plans during the summer which should be considered during the drafting of revised contentions. These views were joined in by ANGRY, Mr. and Mrs. Aamodt and Mr. Sholly.<sup>1/</sup> The Commonwealth of Pennsylvania took no position on the schedule, although it did indicate that the time within which it could take a position on the emergency planning contentions varied depending on the deadline set.<sup>2/</sup>

In response to the alternative proposal, Licensee indicated at the meeting that it did not believe the reasons advanced for an August 31 date supported such an extended schedule. The availability of new material, whether it be a final rulemaking or addi-

---

<sup>1/</sup> Although Mr. Sholly was unable to attend the meeting due to a commitment in the TMI-2 Technical Specification proceeding, the undersigned counsel spoke with Mr. Sholly on the morning of July 14 to get his views on the schedule.

<sup>2/</sup> Due to the absence of the Governor, Karin Carter, Esquire, indicated that the Commonwealth of Pennsylvania probably would not be able to take a position on the revised emergency planning contentions for three or four weeks following a July 31 submittal; the time would be 10 days to two weeks following an August 31 submittal.

tional governmental reports on the adequacy of emergency planning, should be dealt with within the structure of the Board's May 5, 1980 Memorandum and Order, and should not provide a reason for delaying the revision of emergency planning contentions. The Board early on recognized that the pending emergency planning rulemaking might require changes in approach (see Third Special Prehearing Conference Order (January 25, 1980), at p. 5), but there never has been an indication that consideration of the issues might be delayed pending the results of the rulemaking (compare First Special Prehearing Conference Order (December 18, 1979), at p. 18). Nor does the magnitude of the changes in the emergency plans of Licensee, the state and five counties warrant extending the deadline until August 31. The parties are familiar with the structure and organization of the emergency plans. There has been extensive briefing on the scope of emergency plan contentions and there has been substantial discovery in this area. The revisions made in June 1980 were for the purpose of upgrading the plans. While this does not preclude revised contentions, it is not likely that the new material will generate substantial additional contentions.

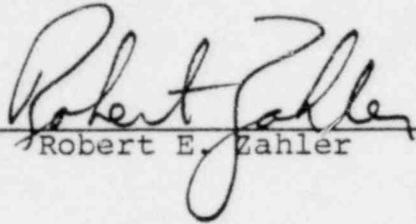
This report has been reviewed by Jordan Cunningham, Esquire, and the undersigned counsel has been authorized to state that, in Mr. Cunningham's view, the report accurately reflects the discussion during the July 11 meeting. Licensee therefore requests that the suspension on emergency planning prehearing activities be

lifted in accordance with a schedule to be set by the Board.<sup>3/</sup>

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By:

  
Robert E. Zahler

Dated: July 14, 1980

3/

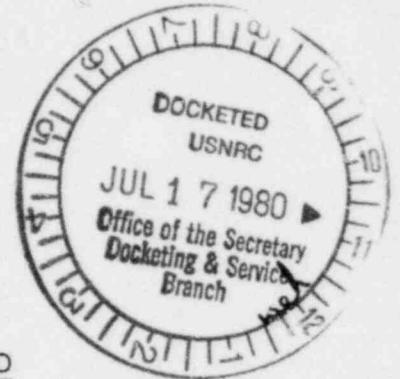
The Board should be aware that Licensee's Motion to Require Further Specification of Contentions of ECNP (dated June 23, 1980) is outstanding and resolution of that motion may affect the scheduling of emergency planning matters.

EMERGENCY PLANNING MEETING ATTENDANCE LIST  
July 11, 1980

<u>Name</u>	<u>Representing</u>
Mr. Norman Aamodt	Aamodt
Mrs. Marjorie Aamodt	Aamodt
Ms. Gail Bradford	ANGRY
Karin Carter, Esquire	Commonwealth of Pennsylvania
Jordan Cunningham, Esquire	Newberry
Mr. Bruce Smith	Newberry
*Ms. Phyllis Zitzer	ECNP
*Mr. Marvin Lewis	Lewis
Robert Zahler, Esquire	Licensee
Mr. George Giangli	Licensee
Mr. Alexis Tsaggaris	Licensee
Mr. Gautam Sen	Licensee

\*Arrived part way through meeting.

Lic 7/14/80



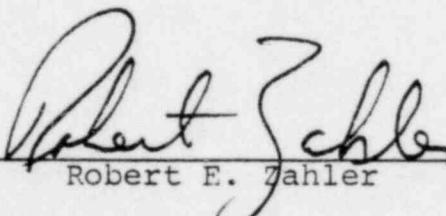
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Report on Emergency Planning Meeting" were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, this 14th day of July, 1980.

  
 \_\_\_\_\_  
 Robert E. Zahler

Dated: July 14, 1980

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

SERVICE LIST

\*Ivan W. Smith, Esquire  
Chairman  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Walter H. Jordan  
Atomic Safety and Licensing  
Board Panel  
881 West Outer Drive  
Oak Ridge, Tennessee 37830

Dr. Linda W. Little  
Atomic Safety and Licensing  
Board Panel  
5000 Hermitage Drive  
Raleigh, North Carolina 27612

James R. Tourtellotte, Esquire  
Office of the Executive Legal Director  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Docketing and Service Section  
Office of the Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

John A. Levin, Esquire  
Assistant Counsel  
Pennsylvania Public Utility Comm'n  
Post Office Box 3265  
Harrisburg, Pennsylvania 17120

Karin W. Carter, Esquire  
Assistant Attorney General  
505 Executive House  
Post Office Box 2357  
Harrisburg, Pennsylvania 17120

John E. Minnich  
Chairman, Dauphin County Board  
of Commissioners  
Dauphin County Courthouse  
Front and Market Streets  
Harrisburg, Pennsylvania 17101

Walter W. Cohen, Esquire  
Consumer Advocate  
Office of Consumer Advocate  
14th Floor, Strawberry Square  
Harrisburg, Pennsylvania 17127

\* An additional copy was hand-served on July 15, 1980.

Jordan D. Cunningham, Esquire  
Attorney for Newberry Township  
T.M.I. Steering Committee  
2320 North Second Street  
Harrisburg, Pennsylvania 17110

Theodore A. Adler, Esquire  
Widoff Reager Selkowitz & Adler  
Post Office Box 1547  
Harrisburg, Pennsylvania 17105

Ellyn R. Weiss, Esquire  
Attorney for the Union of Concerned  
Scientists  
Sheldon, Harmon & Weiss  
1725 Eye Street, N.W., Suite 506  
Washington, D.C. 20006

Steven C. Sholly  
304 South Market Street  
Mechanicsburg, Pennsylvania 17055

Gail Bradford  
Holly S. Keck  
Legislation Chairman  
Anti-Nuclear Group Representing York  
245 West Philadelphia Street  
York, Pennsylvania 17404

Karin P. Sheldon, Esquire  
Attorney for People Against Nuclear  
Energy  
Sheldon, Harmon & Weiss  
1725 Eye Street, N.W., Suite 506  
Washington, D.C. 20006

Robert Q. Pollard  
609 Montpelier Street  
Baltimore, Maryland 21218

Chauncey Kepford  
Judith H. Johnsrud  
Environmental Coalition on Nuclear  
Power  
433 Orlando Avenue  
State College, Pennsylvania 16801

Marvin I. Lewis  
6504 Bradford Terrace  
Philadelphia, Pennsylvania 19149

Marjorie M. Aamodt  
R. D. 5  
Coatesville, Pennsylvania 19320