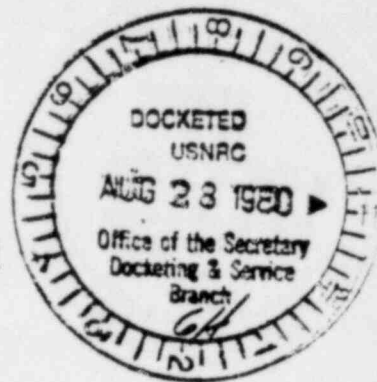


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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))

REVISION OF TMIA CONTENTION 5

Pursuant to the board order of August 20, 1980, TMIA is hereby revising Contention 5 to conform to this order.

It is contended that Licensee has pursued a course of conduct that is in violation of 10 CFR 50.57, 10 CFR 50.40, 10 CFR 50.36, 10 CFR 50.71 and 10 CFR 50 Appendix B, thereby demonstrating that Licensee is not "technically ... qualified to" operate TMI Unit 1 "without endangering the health and safety of the public." This course of conduct includes:

- a. deferring safety-related maintenance and repair beyond the point established by its own procedures (see e.g. A.P. 1407);
- b. disregarding the importance of maintenance in safely operating a nuclear plant in that it:
 1. uses supervisory and other personnel to perform maintenance;
 2. proposed a drastic cut in the maintenance budget;
 3. fails to keep accurate maintenance records;

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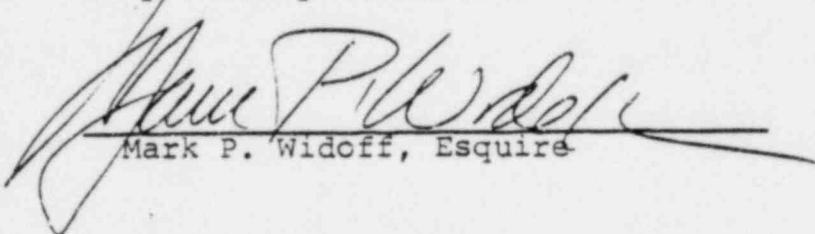
4. has inadequate and understaffed QA/QC programs as related to maintenance;

5. extensively uses overtime in performing maintenance.

Assurances given by Licensee's employees and officials as well as assurances given in the SER that all NRC regulations have been and/or will be adhered to are not credible. The same employees and officials who were responsible for the violations numerated above remain in responsible positions with Licensee. Reorganization of the same people does not correct the problem.

Under these circumstances, Licensee cannot demonstrate by a preponderance of the evidence that it is "technically ... qualified to" operate TMI Unit 1 "without endangering the health and safety of the public."

Respectfully submitted,



Mark P. Widoff, Esquire

Dated: August 26, 1980

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing document, Revision of TMIA Contention 5, to be placed in the United States mail, first-class, postage prepaid, addressed to the persons listed below:

Ivan W. Smith, Chairman
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Walter H. Jordan
881 West Outer Drive
Oak Ridge, TN 37830

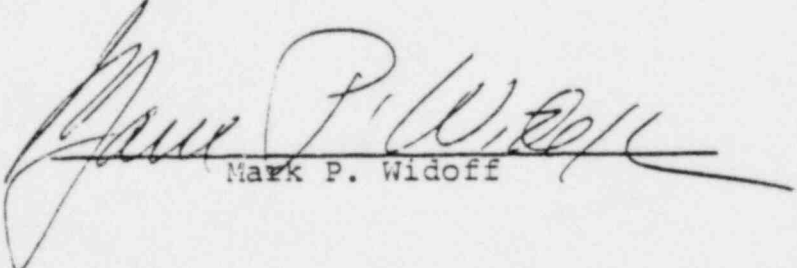
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Mark P. Widoff

Dated: August 26, 1980