



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

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September 26, 1979

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OFFICE OF THE SECRETARY
D.C.

Mr. George Edgar, Esq.
Morgan Lewis & Bockius
Attorneys for Babcock & Wilcox
1800 M Street, N.W.
Washington, D. C. 20038

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Dear Mr. Edgar:

I am writing to confirm that the following depositions under oath in connection with the accident at Three Mile Island are scheduled at the offices of Babcock & Wilcox in Lynchburg, Virginia, beginning each day at 9:00 a.m.

October 2-5	Dunn	Kelly
	Hallman	Lightile
	Jones	Taylor
	Karrasch	Walters
October 15-17	Deddins	Spangler
	Elliott	Ward
	Kosiba	Womack
	Roy	

This will also confirm that the depositions of Messrs. Nitti, Rogers and Shadel are scheduled at Three Mile Island beginning at 9:00 a.m. on October 11. We have agreed that we will determine the order of witnesses nearer the deposition dates. Finally, this will confirm our request for each witness to bring with him his resume and any documents in his possession or control regarding TMI-2, the accident or precursor events which you or the witness has reason to believe may not be in official NRC files, including any diary or personal working file.

The depositions will be conducted by members of NRC's Special Inquiry Group on Three Mile Island. Fred Folsom, Esq. will conduct the depositions during the week of October 2, George Frampton, Esq. will conduct the depositions on October 11, and John Dienelt, Esq. will conduct the depositions beginning on October 15.

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The Special Inquiry Group is being directed independently of NRC by the law firm of Rogovin, Stern and Hugel. It includes both NRC personnel who have been detailed to the Special Inquiry Staff, and outside staff and attorneys. Through a delegation of authority from the NRC under Section 161(c) of the Atomic Energy Act of 1954, as amended, the Special Inquiry Group has a broad mandate to inquire into the causes of the accident at Three Mile Island, to identify major problem areas and to make recommendations for change. At the conclusion of its investigation, the Group will issue a detailed report setting forth its findings and recommendations.

Since the witnesses have not been served with subpoenas, their participation in the deposition is voluntary and there will be no effect or them if they decline to answer some or all of the questions asked them. However, the Special Inquiry has been given the power to subpoena witnesses to appear and testify under oath, or to appear and produce documents, or both, at any designated place. Any person deposed may have an attorney present or any other person he wishes accompany him at the deposition as his representative.

You and the witnesses should realize that while we will try to respect any requests for confidentiality in connection with the publication of our report, we can make no guarantees. Names of witnesses and the information they provide may eventually become public, inasmuch as the entire record of the Special Inquiry Group's investigation will be made available to the NRC for whatever uses it may deem appropriate. In time, this information may be made available to the public voluntarily, or become available to the public through the Freedom of Information Act. Moreover, other departments and agencies of government may request access to this information pursuant to the Privacy Act of 1974. The information may also be made available in whole or in part to committees or subcommittees of the U.S. Congress.

Most of the witnesses have testified previously with respect to the Three Mile Island accident. It would be useful if any witness who has previously testified could review the transcript of his testimony prior to the deposition.

Thank you for your cooperation.

Sincerely,

Mitchell Rogovin

Mitchell Rogovin, Director
NRC/TMI Special Inquiry Group

OFFICE	SIG	SIG	SIG	SIG	SIG	SIG
SURNAME	J. Diener	P. Worry	R. DeYoung	R. Cornell	G. Frattoloni	M. Rogovin
DATE	9/26/79	9/26/79	9/26/79	9/26/79	9/26/79	9/26/79