



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

METROPOLITAN EDISON COMPANY
ET AL.

(Three Mile Island Nuclear Station,
Unit No. 1)

Docket No. 50-289

June 9, 1981

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MEMORANDUM AND ORDER

The final evidentiary session in this proceeding will begin at 9:30 a.m., June 29, 1981, at the Harrisburg hearing room; will recess from July 2 through July 6; resume July 7, and is expected to conclude July 9. The Board expects to complete hearing testimony on UCS Contention 12 (environmental qualification of equipment) on June 29^{*/} followed by 5 days of testimony on emergency planning matters.

Because the litigation on UCS 12 interferes with UCS's preparation of reply findings on design issues -- now scheduled for service on July 1 and 12 depending upon issues -- UCS requests an extension until July 13 and 27 respectively. The other affected parties, Licensee, Staff and Commonwealth, would not oppose the extension if the Board would not be delayed in its deliberation on these issues. Bearing in mind the Board's previous admonition that each party must set out fully its case-in-chief in the initial proposed findings, it is unlikely that

^{*/}The affected parties will confer on June 26 and report to the Board whether or not one day on this issue is sufficient.

the extension requested by UCS for reply findings will delay the Board's decision.

Reply findings on design issues must be in the Chairman's office on the dates due. Therefore, UCS's request is granted.

Other parties are requested to file their reply findings as soon as they are ready but no later than the extension granted to UCS. Parties filing earlier than July 13 and 27 may withhold service upon other parties until the due dates.

Initial proposed findings on emergency planning issues by Licensee, Staff and the Commonwealth are to be served upon the Board 21 days following the close of the evidentiary hearing. Intervenors shall serve initial emergency planning proposed findings 28 days following the close of the evidentiary record on these issues. The Licensee, Staff, and Commonwealth may defer service of emergency planning proposed findings on other parties until 28 days after the close of the record. Reply findings on emergency planning shall be served 42 days after the close of the record.

Pursuant to the unopposed request of the Licensee and also because of the two-week delay in the mail of the Staff's initial proposed findings on management issues, the service date for reply findings on management issues is adjusted as follows:

1. The service date for reply findings on training issues (which is a sub-category of "management" issues) is extended two weeks to June 29, 1981. Most, if not all, of the initial management findings filed by the Aamodts and by the Commonwealth involve training issues. Therefore, the two-week extension applies to replies to all of the initial proposed management findings filed by the Aamodts and the Commonwealth.

2. The service date for reply findings to the Staff's initial proposed management findings is extended two-weeks to June 29, 1981.

3. The service date for reply findings to Licensee's and TMIA's initial management findings on non-training issues remains June 15, 1981.

The above schedule on management reply findings clarifies the decision and ruling on the record of the June 4, 1981 hearing session (See Tr. 21, 844-54). We are attaching copies of these transcript pages to the Aamodts' courtesy copy of this order. Some of the discussion involved the Aamodts, who were not present.

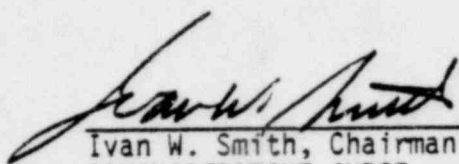
The Licensee and Staff shall assure that future proposed initial and reply findings filed by them are delivered to the Chairman by the date of service. All parties are reminded of the Board's request that the Chairman receive four copies of proposed findings.

The parties should confer in advance and be prepared to propose a schedule at the June 29 hearing for the filing of proposed findings on UCS Contention 12 (environmental qualification of equipment).

The Board has been informed that initial proposed findings on UCS Contention 6 (valve testing) will be served by the Licensee and by the Staff on June 12, and by UCS and by the Commonwealth (if it files any) by June 19. This schedule is acceptable provided that UCS and the

Commonwealth assure that their findings are received by the Chairman, the Staff and the Licensee by June 19. Reply findings on UCS Contention 6 shall be included with the reply findings on some of the other design issues now due by July 27 pursuant to pages 1-2 of this Order.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Ivan W. Smith, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
June 9, 1981