

September 14, 1981

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In the Matter of
METROPOLITAN EDISON COMPANY, ET AL.
(Three Mile Island Nuclear Station, Unit 2)
Docket No. 50-320 OLA

Dear Parties:

The purpose of this letter is to renew discussions of possible stipulations for settlement and withdrawal of the remaining proposed contentions in this proceeding. Following the stipulations which have already been entered into among the parties and approved by the Licensing Board, there now remain pending as proposed contentions the following:

From ECNP's Supplement to Request for Hearing (docketed July 1, 1980)

- #1, on equipment surveillance
- #3, on independence of the Generation Review Committee
- #4, on (a) process for allowing "temporary changes" to certain procedures and (b) process for allowing changes to procedures on Recovery Mode implementation and on Recovery Operations Plan implementation
- #6, on use of real-time monitors in the radiation monitoring program

From Dr. Lochstet's August 11, 1980 filing

- #2, on steps to insure operability of neutron monitors
- #3, on potential leakage of radioactive water from containment

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As outlined in my letter of June 11, 1981 to Bill Lochstet, the Staff believes that the basis already has been established through discussions for the settlement/withdrawal of his remaining proposed contentions. Staff also believes that the discussions held with ECNP have provided bases for settlement/withdrawal of at least some of its proposed contentions.

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Additionally, during the negotiation on proposed contentions, numerous activities have been undertaken under the Technical Specifications which are the subject of this proceeding. The proposed contentions may no longer, therefore, raise matters which ECNP and Dr. Lochstet believe need to be litigated.

In consideration of the circumstances discussed above, the Staff suggests that it would be fruitful for ECNP and Dr. Lochstet to indicate to counsel for the other parties what proposed contentions can now be settled/withdrawn either on the basis of discussions held with the parties or because the passage of time and intervening events have reduced their concern with the matters originally sought to be raised.

In order that the parties may focus upon ECNP's and Dr. Lochstet's present positions, it would be helpful if those positions were set forth in writing. We are also, as always, available to discuss these matters by telephone.

Sincerely,

Stephen H. Lewis
Counsel for NPC Staff

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