

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

METROPOLITAN EDISON COMPANY

(Three Mile Island Nuclear  
Station, Unit I)

DOCKET NO. 50-289

(Restart)

(Reopened Proceeding)

STIPULATION

The parties to this reopened proceeding, on their own behalf or by counsel, as indicated below, stipulate that

1. With the additional information provided pursuant to paragraph 3 below, it appears that the lettering system adopted by Licensee and used by the parties to date is capable of permitting an adequate evidentiary hearing on the issues in this proceeding and should be retained and used throughout this proceeding, including any appeals, except that the stipulation shall not pertain to the identity of any individual who has voluntarily agreed or hereafter agrees to make his/her identity known in this proceeding.

2. A Protective Order should be issued requiring non-disclosure of any name of any person who is identified by letter rather than by name, should that person's name be disclosed during this proceeding, including any appeals.

3. Subject to the Protective Order referred to in paragraph 2 above, Licensee shall provide to the Special

Master, counsel for the NRC staff, counsel for the Commonwealth, Mrs. Aamodt and counsel for the Aamodts and the two undersigned representatives of TMIA, a key which identifies by name and job title all Licensee employees and ex-employees (excepting "YY") which heretofore have been designated by letter or number. This key shall be provided exclusively for use by participants in this captioned proceeding before the Special Master and appeals therefrom. The key provided shall be retained by the undersigned representatives and counsel for their use and the use of those assisting them in the course of this proceeding. In order to assure the effectiveness of this stipulation, no copies of the keys shall be made and their use by those other than the undersigned shall be restricted to the absolute minimum necessary for hearing preparation and for subsequent appeals. Licensee further agrees to drop the lettering system throughout the proceeding for all employees other than its past and present control room operators, shift foremen, shift supervisors, shift technical advisors, and individual "VV" and with respect to these individuals, each individual's job classification will be identified. Licensee further agrees to review all documents it has provided in the course of discovery and to provide as soon as possible to all participants in the proceedings, subject to the Protective Order referred to in paragraph 2 above, material (other than names and job classifications) which has been deleted, such as dates, in furtherance of the lettering system.

4. If those persons identified in the Licensee's lettering system as "O", "V" and "W" (and such persons as may be subsequently determined by the Special Master to merit an in camera proceeding for their testimony) are called to testify in this reopened proceeding, their testimony will be taken in camera, without public notice, and at a place to be agreed on by the parties and the Special Master, so as to minimize risk of disclosure of their identities.

5. When in camera sessions of this proceeding are scheduled, the parties shall not disclose the fact, time and place of such sessions to anyone, before or during the session.

6. Such in camera sessions will be conducted before Special Master Milhollin.

7. The testimony in the in camera sessions would continue the use of the lettered system and the transcripts of in camera sessions would be made available to the public without restriction.

8. Should the name of any person who is identified by letter or by number in the Licensee's lettering system be disclosed during testimony of any witness, that person's name will be excised from the record and will not be disclosed by any party or the NRC staff.

9. The NRC staff or any of its employees or subordinate bodies will not disclose the name of any person

identified by letter in the Licensee's lettering system in use in this proceeding without the consent of that person.

10. The individuals designated as "O", "VV" and "W" hereby waive any objections previously stated in this proceeding to further testimony in this proceeding by each of them, subject to the other provisions of this stipulation. The involved individuals and the Licensee agree that they will withdraw their appeal of the Licensing Board's November 6, 1981 decision, except for those portions of the opinion characterizing conduct of counsel.

Respectfully submitted,

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Approved:

Gary L. Milhollin

Gary L. Milhollin

Administrative Judge and

Special Master

Date Approved:

Nov. 12, 1981