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July 13, 1981

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In the Matter of
Metropolitan Edison Company
(Three Mile Island Nuclear Station, Unit No. 1)
Docket No. 50-289 (Restart)

Administrative Judges Smith, Jordan and Little:

Please find enclosed "Part Three of Licensee's Proposed Findings of Fact and Conclusions of Law on Plant Design and Procedures Issues in the Form of a Partial Initial Decision," and the first of two segments of "Licensee's Reply to the Proposed Findings of Fact and Conclusions of Law on Plant Design and Procedures Issues Filed by Other Parties."

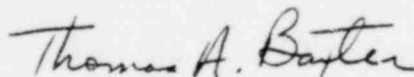
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July 13, 1981
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Licensee has, in its testimony and proposed findings, addressed a number of long-term requirements (i.e., requirements to be implemented after the projected restart of TMI-1) proposed by the NRC Staff. With few exceptions (notably, reactor vessel water level instrumentation) Licensee has accepted the proposed requirements. Licensee, as well as the Staff, has also addressed the question as to whether Licensee has made reasonable progress toward the implementation of these long-term requirements and has proposed affirmative findings by the Board on this point. We are aware, however, of the uncertainty of the scope of the Board's responsibilities under the Commission's August 9, 1979 Order and Notice of Hearing, and that the Commission's order can well be read to limit the Board's responsibility for finding reasonable progress on long-term items to those long-term requirements which have been imposed on other licensees by immediately effective orders. (We are aware that long-term action number 1 (submit a failure mode and effects analysis of the integrated control system) has been the subject of such orders to other licensees.) Licensee does not waive its right to assert at any point in the proceeding that this latter reading of the August 9 order is correct. However, by addressing all of the long-term requirements and the matter of reasonable progress in their implementation, Licensee has sought to obviate the need for further resolution of the scope of the August 9 order.

Respectfully submitted,



Thomas A. Baxter
Counsel for Licensee

cc: per Certificate of Service

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))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Part Three of Licensee's Proposed Findings of Fact and Conclusions of Law on Plant Design and Procedures Issues in the Form of a Partial Initial Decision" and "Licensee's Reply to the Proposed Findings of Fact and Conclusions of Law on Plant Design and Procedures Issues Filed by Other Parties" were served this 13th day of July, 1981 by deposit in the U.S. mail, first class, postage prepaid, to the parties identified on the attached Service List.

Thomas A. Baxter
 Thomas A. Baxter

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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)
METROPOLITAN EDISON COMPANY) Docket No. 50-289
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(Three Mile Island Nuclear)
Station, Unit No. 1))

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