

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

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ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:
Ivan W. Smith, Chairman
Dr. Walter H. Jordan
Dr. Linda W. Little

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
METROPOLITAN EDISON COMPANY)
(Three Mile Island Nuclear)
Station, Unit 1)

Docket No. 50-289
(Restart)

October 26, 1981

ORDER SPECIFYING SCHEDULE FOR
APPEAL TO LICENSING BOARD OF
SPECIAL MASTER'S DECISION ON
CONFIDENTIALITY



On October 22, 1981, Judge Milhollin as Special Master issued his order ruling that the identity of persons who are or may be implicated in cheating on examinations is not entitled to confidential treatment in this reopened proceeding. Judge Milhollin's order provided that any appeals to the Licensing Board must be filed within 7 days of the date of service of his order, and that answers thereto must be filed within 7 days of service of any appeals. The October 22, 1981 order was not served on some parties to this reopened proceeding until October 23, 1981 by regular mail. Accordingly, in the normal course of events, timely appeals could be mailed on November 4, and answers to appeals would not be due to be mailed until 12 days later which would be November 16. In order to expedite

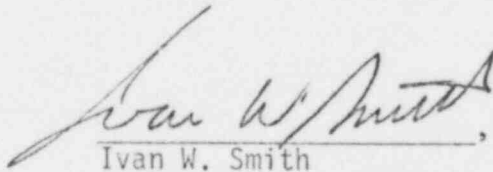
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the filing of answers to any appeals, and our consideration of them, we are modifying the method of service to eliminate the five day delay for mailing provided by the regulations.

Any appeals of Judge Milhollin's order on confidentiality must be received by November 4 by counsel for the parties to the reopened proceeding ^{*/} (in the case of TMIA, this means Ms. Louise Bradford), Judge Smith and the Atomic Safety and Licensing Appeal Panel. Judges Jordan, Little and Milhollin and the Aamodt family shall be served by express mail mailed no later than November 4. The remainder of the service list for the entire restart proceeding may be served by regular mail by November 4.

Answers to any appeals must be received by 4:00 p.m., November 10 by Judge Smith (2 copies) and the Atomic Safety and Licensing Appeal Panel, since NRC offices are closed on November 11. Judges Jordan, Little and Milhollin and parties who have filed appeals shall be served by express mail mailed by November 10 (if the hearing is in session, those present may of course be served in person at the hearing). The remainder of the service list may be served by regular mail by November 10.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

 , Chairman
Ivan W. Smith
ADMINISTRATIVE JUDGE

Bethesda, Maryland

October 26, 1981

^{*/} On the confidentiality issue, in addition to counsel for the Aamodts, Staff, the Commonwealth, TMIA, and Licensee, this includes the offices of Messrs. McBride and/or Cole depending upon whether both firms plan to file briefs on appeal on behalf of individuals who may be implicated.

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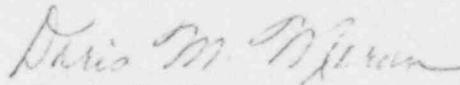
In the Matter of)
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COURTESY NOTIFICATION

This is intended solely as a courtesy and convenience to provide extra time to those notified. Official service will be separate from the courtesy notification and will be made by the Office of the Secretary of the Commission.

I hereby certify that I have today mailed copies of the Board's ORDER SPECIFYING SCHEDULE FOR APPEAL TO LICENSING BOARD OF SPECIAL MASTER'S DECISION ON CONFIDENTIALITY, dated this date, to the persons designated(*) on the attached Mailing List.



Doris M. Moran
Clerk to the Atomic Safety
and Licensing Board

Bethesda, Maryland

October 26, 1981

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