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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD ⁸¹ NOV 19 P2:38

In the Matter of)
METROPOLITAN EDISON COMPANY)
(Three Mile Island Nuclear)
Station, Unit No. 1))

OFFICE OF SECRETARY
OF SERVICE
Docket No. 50-289
(Restart)

To Service List:

Enclosed is a copy of a confidentiality Stipulation and related Order agreed to by the parties and approved by Judge Milhollin on November 12, 1981, which Licensee is serving at Judge Milhollin's request.

Sincerely,

Ernest L. Blake, Jr.
Ernest L. Blake, Jr.
Counsel for Licensee

Enclosures



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50/1 Add: ASHAP*

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USNRC

'81 NOV 19 P2:38

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
HEARING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

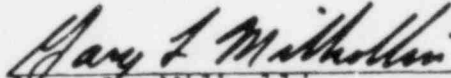
In the Matter of
METROPOLITAN EDISON COMPANY
(Three Mile Island Nuclear
Station, Unit 1)

DOCKET NO. 50-289

(Restart)
(Reopened Proceeding)

ORDER

It is hereby ordered by Gary L. Milhollin, Administrative Judge and Special Master that for the duration of these proceedings all parties signatory to the attached Stipulation will be bound thereby and subject thereto. Any violations of said Stipulation should be reported to Judge Milhollin, and may be dealt with in any manner by Judge Milhollin pursuant to the enforcement powers invested in him by the Atomic Safety and Licensing Board.



Gary L. Milhollin
Administrative Judge and
Special Master

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
REGULATORY & SERVICE
BRANCH

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", "VV" and "W" (and such other 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,

Michael F. McBride

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Approved:

Gary L. Milhollin

Gary L. Milhollin

Administrative Judge and

Special Master

Date Approved:

Nov. 12, 1981

November 13, 1981

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Order," and "Stipulation" dated November 12, 1981, were served this 13th day of November, 1981, by hand delivery upon the persons identified by one asterisk and by deposit in the United States mail, first class, postage prepaid, to the other parties on the attached Service List.

Deborah B. Bauser
Deborah B. Bauser

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NUCLEAR REGULATORY COMMISSION

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In the Matter of)
METROPOLITAN EDISON COMPANY) Docket No. 50-289
(Three Mile Island Nuclear) (Restart)
Station, Unit No. 1))

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