

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
10/10/82

BEFORE THE ATOMIC SAFETY AND LICENSING APPEALS BOARD

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

MOTION FOR LEAVE TO INTERVENE

Pursuant to 10 C.F.R. §2.714 (1982), the individuals designated as O and VV, through their undersigned counsel, hereby move for leave to intervene in the above-captioned proceeding. As grounds for this Motion, O and VV respectfully state that:

1. O is former shift supervisor at TMI-1.
2. VV is an employee of Licensee at TMI-2.
3. The reopened proceedings below involved investigation of events in which O and VV participated, and as to which O and VV testified before Special Master Milhollin.
4. O and VV, along with the other individuals referred to in Special Master Milhollin's recommended decision, were given the opportunity to comment on Special Master Milhollin's recommendations. Because the Special Master made recommendations about O, but not about VV, O filed comments with the Licensing Board, but VV did not.

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5. The Licensing Board's decision recommends an NRC Staff investigation of the recertification of VV to the NRC in 1979. ¶¶2287-2320. O was involved in the events that led to the necessity for VV to retake certain portions of the examination at issue. The Licensing Board's decision states that "[a]ll concerned shall be reinterviewed, including VV, the persons who administered the test, and Mr. Miller." ¶2313.

6. Special Master Milhollin recommended that O and another individual, W, be referred to the Department of Justice for criminal prosecution of certain events that took place in 1981. The Licensing Board disagreed. ¶¶2090-95.

7. Intervenor TMIA has filed numerous exceptions to the Licensing Board's partial initial decision, including exceptions with respect to O and VV. E.g., TMIA Exceptions 23-24, 93, and 108-23.

8. No other party can be expected adequately to represent the interests of O and VV. For example, whether O is referred to the Department of Justice for criminal prosecution is not a matter as to which any party reasonably can be expected to advance O's interests. Similarly, VV is no longer licensed by the NRC (¶2320), and thus Licensee may not feel it is necessary to attempt to represent VV's interests herein.

9. Good cause for intervention at this time exists, because it has not heretofore been necessary for O and VV to participate as parties to protect their interests.

10. Granting this Motion will not delay this proceeding or expand its scope.

WHEREFORE, O and VV move for leave to intervene herein.

Respectfully submitted,

LeBOEUF, LAMB, LEIBY & MacRAE

By Harry H. Veip

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August 23, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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1982

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

CERTIFICATE OF SERVICE

I hereby certify that I have, this 23rd day of August, 1982, served copies of the foregoing document entitled "Motion For Leave To Intervene" by mailing copies thereof by first-class mail, postage prepaid and properly addressed to the following:

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