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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'82 SEP 10 A10:30

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

Docket No. 50-289
(Restart)

UNION OF CONCERNED SCIENTISTS REPLY TO TMIA MOTION
FOR EXTENSION OF TIME AND TO AAMODT MOTIONS
OF SEPTEMBER 3, 1982

The Union of Concerned Scientists supports TMIA's and the Aamodts' requests for extensions of time to brief exceptions. These parties have participated without attorneys throughout these proceedings and have done a particularly remarkable job in building a record on issues concerning which both GPU and the Staff were negligent. It should be remembered in this context that the cheating episodes as well as the many other instances of what the Licensing Board refers to in its latest PID as failures of "quality assurance" of the training and testing program are attributable to GPU and the Staff which are responsible for assuring the integrity of the training program. TMIA and the Aamodts, whose participation ensured an airing of these issues, are entitled to the necessary amount of time to review the several months worth of hearing

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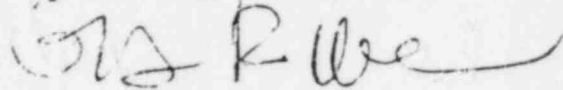
transcript, the three pertinent decisions (two by the Board and one by the Special Master) and to prepare their briefs. If Appeal Board review is on the "critical path" to restart, as GPU asserts, (without support, so far as we are aware) TMIA and the Aamodts should not be penalized for that.

As for UCS, our attention was until September 1, directed toward preparation for the oral argument on design and operational safety issues; we were unable to turn to the issues covered by the UCS exceptions until this time. The UCS issues are not as broad as those raised by TMIA and the Aamodts. We would therefore not for our own part have required the same amount of time as is needed by TMIA.

The Appeal Board has also asked for responses to the Aamodt Motion for the NRC Staff and Licensee to Show Good Cause and/or Reopening of Record, September 3, 1982. UCS believes that the motion and attached material raise very disturbing questions, particularly with respect to the 3 1/2 month period of time that passed between the discovery of these facts by GPU and their disclosure to the Appeal Board. It is particularly troubling that this evidence was not transmitted to the Licensing Board during this time since the Staff and GPU knew full well that the Board was then writing its decision on the cheating questions. Since a major question to be determined by the Appeal Board is whether the assurances of GPU and the Staff regarding their future conduct can be relied upon to ensure the integrity and adequacy of the

operator training and testing program, their failure to bring pertinent facts forward until after the ASLB decision and after the filing of immediate effectiveness comments is extremely significant. UCS supports the Aamodt's motion.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ellyn R. Weiss".

Ellyn R. Weiss

General Counsel, UCS

Dated: September 9, 1982

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DOCKETING & SERVICE
BRANCH
(Room 1111)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing UNION OF CONCERNED SCIENTISTS REPLY TO TMIA MOTION FOR EXTENSION OF TIME AND TO AAMODT MOTIONS OF SEPTEMBER 3, 1982, have been delivered this 9th day of September, 1982, first-class, postage paid, to the following:

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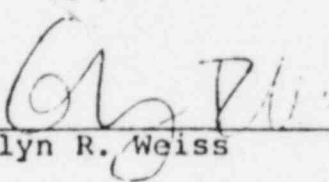
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September 9, 1980



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*Hand-delivered