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WRITER'S DIRECT DIAL NUMBER

822-1026

November 5, 1982

Mr. Darrell G. Eisenhut  
Director  
Division of Licensing  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Eisenhut:

As reflected in the attached Motions, filed by the Licensee with the Appeal Board and the Commission, we were concerned about the effect on TMI-1 of the application by the NRC staff of the recommendation by the Appeal Board in the TMI-2 proceeding concerning airplane crash computations. Discussions with the NRC staff have indicated that this concern may reflect a misapprehension with respect to how the staff intends to implement the Appeal Board's suggestion regarding Unit 1.

As a result of our discussions Licensee has agreed to a license condition for TMI-1 which will require Licensee to report annually to NRC the total number of movements of aircraft larger than 200,000 pounds at the Harrisburg airport, broken down into scheduled and non-scheduled (including military) takeoffs and landings, based on a current estimate provided by the airport manager or his designee. Licensee has further agreed to a condition that in connection with the report of heavy aircraft movements at

Mr. Darrell G. Eisenhut

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the Harrisburg-airport for the calendar year 1984, Licensee will update its analysis of crash probability utilizing current Harrisburg airport figures as well as updated national aerial crash density values. This update will be based on the same methodology presented by Applicants as accepted by the Appeal Board in the TMI-2 proceeding. The license condition will specify that following receipt of this updated analysis, the staff will discuss with Licensee and determine the need for further probability analyses.

In our discussions we pointed out not only the major influence which annual traffic levels at the airport have on the probability determination, but the dominant role which changes in those levels would play compared to changes in other inputs to probability analyses in redetermining probability values. For example, new data on national aircrash statistics, when added to the 22 years of data on which probability computations were projected in the TMI-2 proceeding, would probably have at most a small effect on the probability results. The license condition also reflects a recognition of the large margin which exists on the basis of recent Harrisburg airport traffic levels between both the Licensee's and staff's probability determinations and the staff guidelines accepted by the Board.

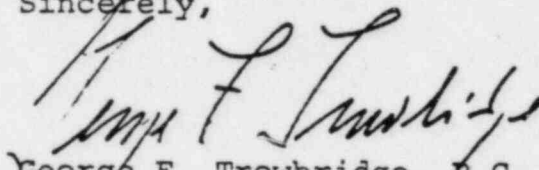
In our discussions with the staff we also pointed out that Licensee's annual reports to the NRC of traffic at the Harrisburg airport since 1977 show a rather steady level in the number of heavy aircraft operations. We also advised the staff that with respect to national aircrash statistics we had investigated for recent years the aircrash rate for non-scheduled aircraft, since it is this rate which dominated the national aerial crash density values produced in the TMI-2 proceeding. The number of relevant crashes of non-scheduled aircraft for the years 1978-81 were as follows:

<u>Year</u>	<u>Number of Operations</u>	<u>Number of Relevant Crashes</u>
1978	193,000	0
1979	173,000	1
1980	253,000	0
1981	231,000	0

Mr. Darrell G. Eisenhut  
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Thus the non-scheduled aircrash rate for the four years in question was significantly less than the average rate during the previous 22-year period.

Sincerely,



George F. Trowbridge, P.C.  
Counsel for GPU Nuclear Corporation

Enclosures

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of	)	
	)	
METROPOLITAN EDISON COMPANY,	)	
et al	)	Docket No. 50-320
	)	
(Three Mile Island Nuclear	)	
Station, Unit 2)	)	

APPLICANTS' REQUEST FOR EXTENSION OF TIME TO  
FILE MOTION FOR RECONSIDERATION AND  
MODIFICATION OF APPEAL BOARD DECISION  
DATED SEPTEMBER 15, 1982 (ALAB-692)

By its Decision dated September 15, 1982 (ALAB-692) the Appeal Board found, on the bases of probability analyses presented by Applicants and the Staff using air traffic and aircrash data through 1977, that the annual probability of a heavy airplane crash on TMI-2 was less than the  $10^{-7}$  guideline set out in the Standard Review Plan. At the same time the Board indicated a need to update the data base periodically in order to determine whether the guideline continues to be satisfied. To this end the Board added two license conditions.

The first of these conditions would adopt a Staff recommendation to modify the present TMI-2 Technical Specifications, which already require Applicants to make an annual report of aircraft operations at Harrisburg, to call for a

breakdown of the number of heavy aircraft operations into scheduled and non-scheduled operations. Specifically, the Staff recommendation adopted by the Board would modify the TMI-2 Technical Specifications to require Applicants to report annually "the total number of movements of aircraft larger than 200,000 pounds (broken down into scheduled and non-scheduled operations), based on a current percentage estimate provided by the airport manager." Applicants have no objection to this modification.

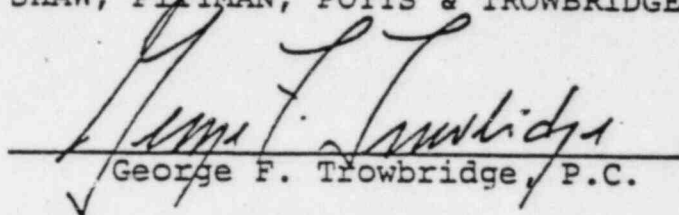
The second requirement imposed by the Board would require Applicants to update their analysis of crash probability utilizing current Harrisburg Airport traffic figures as well as updated national aerial crash density values. The update would be required prior to any return of TMI-2 to operation and every three years thereafter. While the Board requirement applies only to TMI-2, the Board suggests in footnote 61 of the Decision that the Staff may wish to impose a similar requirement in connection with a resumption of operation of TMI-1.

Applicants believe that the Board's objectives can be achieved short of a mandatory full-scale reanalysis of air crash probability requiring collection and analysis of detailed information on national air crashes and their spatial distribution. In Applicants' view such a full-scale reanalysis should be triggered only in the event of a significant change in the key data which dominate the probability determination.

Applicants have requested their consultants to identify such key data and to propose an intermediate calculation which would be used to determine whether a full-scale analysis is necessary. To allow time for the development of this proposal Applicants request an extension of time to November 15, 1982, in which to file a motion for reconsideration of the Board's decision.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

  
George F. Trowbridge, P.C.

Dated: October 20, 1982

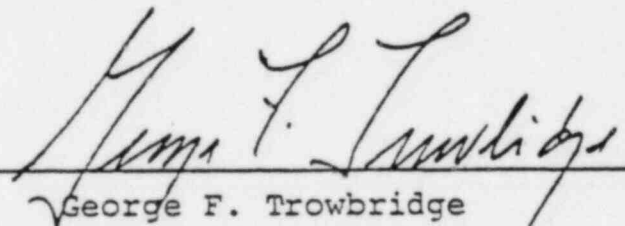
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et al ) Docket No. 50-320  
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(Three Mile Island Nuclear )  
Station, Unit 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Request for Extension of Time to File Motion for Reconsideration and Modification of Appeal Board Decision Dated September 15, 1982 (ALAB-692)," were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, or as indicated by asterisk by personal service, this 20th day of October, 1982.

  
\_\_\_\_\_  
George F. Trowbridge

Dated: October 20, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of )  
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Office of the Secretary  
U.S. Nuclear Regulatory Commission  
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UNITED STATES OF AMERICA  
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BEFORE THE COMMISSION

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APPLICANTS' MOTION TO EXTEND PERIOD OF TIME  
 FOR COMMISSION REVIEW OF ALAB-692

On September 15, 1982, the Atomic Safety and Licensing Appeal Board issued a decision in this proceeding (ALAB-692) which concluded, on the bases of probability analyses presented by Applicants and the Staff using air traffic and aircrash data through 1977, that the annual probability of a heavy airplane crash on TMI-2 was less than the  $10^{-7}$  guideline set out in the Standard Review Plan. At the same time the Board indicated a need to update the data base periodically in order to determine whether the guideline continues to be satisfied. To this end the Board added a condition requiring Applicants to update their analysis of crash probability utilizing current Harrisburg Airport traffic figures as well as updated national aerial crash density values. The update would be required prior to any return of TMI-2 to operation and every three years thereafter.

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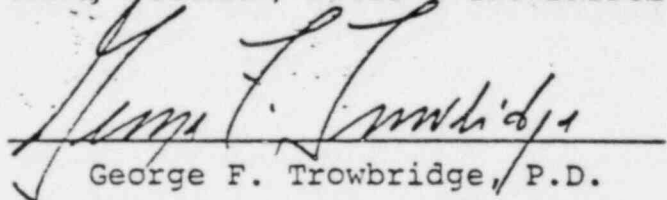
While the Board requirement applies only to TMI-2, the Board suggests in footnote 61 of its Decision that the Staff may wish to impose a similar requirement in connection with a resumption of operation of TMI-1.

Applicants have today filed with the Appeal Board a motion indicating Applicants' intent to seek a modification of the Appeal Board's decision and requesting an extension of time until November 15, 1982, within which to file a motion for reconsideration and modification of that decision. A copy of Applicants' motion is attached.

Under Section 2.786 the Commission has 40 days, i.e. until October 25, 1982, to review the Appeal Board's September 15 decision on its own motion. In light of Applicants' motion to the Appeal Board for extension of time and proposed motion for reconsideration and modification of that decision, and in order to avoid any question of the Appeal Board's jurisdiction to entertain such motions, Applicants request that the Commission extend the period for its sua sponte review of the Appeal Board's decision until 40 days after final disposition by the Appeal Board of Applicants' motions.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



George F. Trowbridge, P.D.

Dated: October 20, 1982

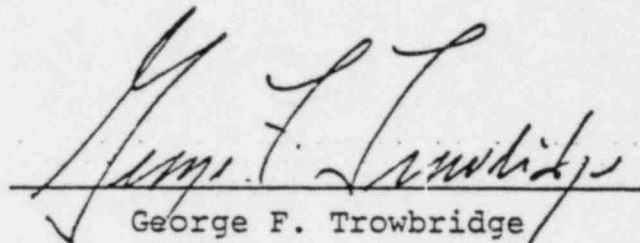
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Motion to Extend Period of Time for Commission Review of ALAB-692," were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, or as indicated by asterisk by personal service, this 20th day of October, 1982.

  
George F. Trowbridge

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*Victor Gilinsky, Commissioner U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Lawrence J. Chandler, Esquire Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Washington, D.C. 20555
*John F. Ahearne, Commissioner U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Docketing and Service Section (3) Office of the Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555
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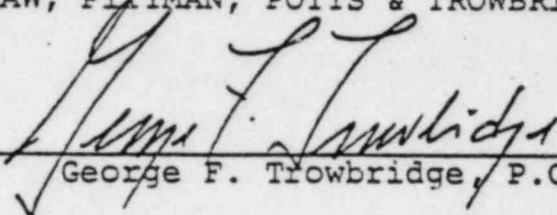
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Respectfully submitted,

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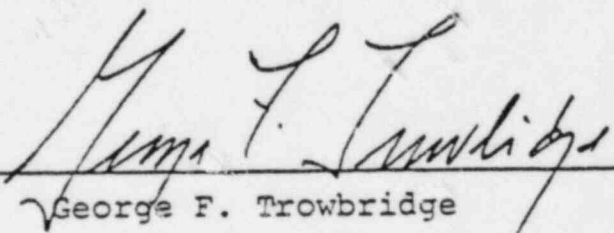
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