

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

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

APPLICANTS' WITHDRAWAL OF  
REQUEST TO SUBMIT MOTION FOR  
RECONSIDERATION OF APPEAL BOARD DECISION  
DATED SEPTEMBER 15, 1982 (ALAB-692)

On October 20, 1982, Applicants filed with the Appeal Board a motion asking the Board to extend until November 15, 1982, the deadline for filing a motion for reconsideration of ALAB-692 embodying the Board's determination on air crash probability and related license conditions. The Board granted Applicants' motion, conditioned upon the grant by the Commission of Applicants' request in a companion motion filed with the Commission to extend its period for review sua sponte of ALAB-692.

Applicants' concern with respect to ALAB-692 centered on a license condition imposed by the Board in the event of a resumption of operation of TMI-2 and, more particularly, on the Board's recommendation that the Staff consider a similar condition in connection with the restart of TMI-1. That license condition would require Applicants prior to a resumption of operation,

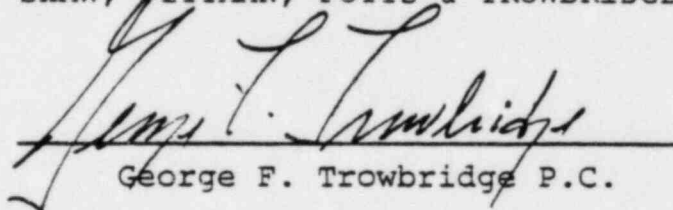
and at three-year intervals thereafter, to update their analysis of crash probability utilizing current Harrisburg Airport traffic figures as well as updated national aerial crash density values. Applicants expressed the view that such a full-scale reanalysis should be triggered only in the event of a significant change in the key data which dominate the probability determination.

As a result of subsequent discussions with the NRC staff reflected in the attached exchange of correspondence, Applicants understand that the staff intends to implement the Appeal Board's suggestion in footnote 61 in a manner which alleviates Applicants' concern.

Accordingly, Applicants no longer propose to request reconsideration of ALAB-692 and withdraw their request for an extension of time to do so.

Respectfully submitted,

SHAW, BITTMAN, POTTS & TROWBRIDGE

  
George F. Trowbridge P.C.

Dated: November 9, 1982

# SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

1800 M STREET, N. W.  
WASHINGTON, D. C. 20036

(202) 822-1000

TELECOPIER

(202) 822-1099 & 822-1199

TELEX

89-2593 (SHAWLAW WSH)

CABLE "SHAWLAW"

JOHN F. DEALY\*  
COUNSEL

RAMSAY D. POTTS, P.C.  
STUART L. PITTMAN, P.C.  
GEORGE F. TROWBRIDGE, P.C.  
STEPHEN D. POTTS, P.C.  
GERALD CHARNOFF, P.C.  
PHILLIP D. BOSTWICK, P.C.  
R. TIMOTHY HANLON, P.C.  
GEORGE M. ROGERS, JR., P.C.  
FRED A. LITTLE, P.C.  
JOHN B. RHINELANDER, P.C.  
BRUCE W. CHURCHILL, P.C.  
LESLIE A. NICHOLSON, JR., P.C.  
MARTIN D. KRALL, P.C.  
RICHARD J. ENDALL, P.C.  
JAY E. SILBERG, P.C.  
BARBARA M. ROSSOTTI, P.C.  
GEORGE Y. ALLEN, JR., P.C.  
FRED DRASNER, P.C.  
R. KENLY WEBSTER, P.C.  
NATHANIEL P. BREED, JR., P.C.  
MARK AUGENBLICK, P.C.  
ERNEST L. BLAKE, JR., P.C.  
CARLETON S. JONES, P.C.

THOMAS A. SAXTER, P.C.  
JAMES M. BURGER, P.C.  
SHELDON J. WEISEL, P.C.  
JOHN A. McCULLOUGH, P.C.  
J. PATRICK KICKEY, P.C.  
GEORGE P. MICHAELY, JR., P.C.  
J. THOMAS LENHART, P.C.  
STEVEN L. MELTZER, P.C.  
DEAN D. AULICK, P.C.  
JOHN ENGEL, P.C.  
CHARLES B. TEMKIN, P.C.  
STEPHEN B. HUTTLER, P.C.  
WINTHROP N. BROWN, P.C.  
JAMES S. HAMLIN, P.C.  
RANDAL S. KELL, P.C.  
ROBERT E. ZAHLER  
RICHARD E. GALEN  
ROBERT S. ROBBINS  
STEVEN M. LUCAS  
DAVID M. RUBENSTEIN  
LYNN WHITTLESEY WILSON  
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JOHN H. O'NEILL, JR.  
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SONNIE S. GOTTLIEB  
HOWARD H. SHAFFERMAN  
DEBORAH S. BAUSER  
SCOTT A. ANENBERG  
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SETH H. HOGGASIAN  
SHEILA MCC. HARVEY  
DELISSA A. RIDGWAY

KENNETH J. HAUTMAN  
DAVID LAWRENCE MILLER  
ANNE M. KRAUSKOPF  
FREDERICK L. KLEIN  
GORDON R. KANONSKY  
JEFFREY S. GIANCOLA  
HANNAH E. M. LIEBERMAN  
SANDRA E. FOLSON  
MARCIA R. NIRENSTEIN  
JUDITH A. SANDLER  
EDWARD D. YOUNG, III  
ROBERT L. WILLMORE  
ANDREW D. ELLIS  
WENDELIN A. WHITE  
STANLEY L. BARG  
KRISTI L. LIMBO  
LESLIE K. SMITH  
VIRGINIA S. RUTLEDGE  
KATHERINE P. CHEEK  
JANICE LEHRER-STEIN  
TRAVIS T. BROWN, JR.  
GAIL E. CURREY  
RICHARD H. KRONTHAL  
STEPHEN B. HEIMANN  
\*NOT ADMITTED IN D.C.

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

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Mr. Darrell G. Eisenhut  
November 5, 1982  
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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

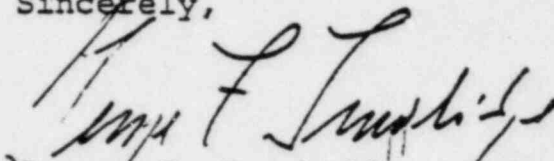
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Mr. Darrell G. Eisenhut  
November 5, 1982  
Page Three

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,

A handwritten signature in cursive script, appearing to read "George F. Trowbridge".

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

Enclosures





UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

November 8, 1982

Docket No. 50-289

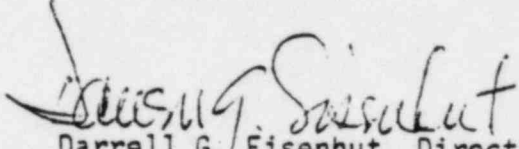
George F. Trowbridge, Esq.  
Shaw, Pittman, Potts & Trowbridge  
1800 M Street, N.W.  
Washington, D.C. 20036

Dear Mr. Trowbridge:

In response to your letter of November 5, 1982, on behalf of GPU Nuclear Corporation, the NRC Staff agrees that the procedure for reporting large aircraft movements at Harrisburg International Airport and for updating the computation of aircraft crash probability, reflected in your letter, is acceptable for TMI-1. By December 1, 1982, the licensee shall request an amendment to the operating license for Unit 1 proposing a license condition formalizing the requirements discussed in your letter.

The Staff sees no need to presently specify any particular corrective measure in the event that the computed crash probability value approaches  $10^{-7}$ . We believe that the Commission has sufficient ability to assure that appropriate corrective measures can and will be taken based on Commission regulations applicable at such time.

Sincerely,

  
Darrell G. Eisenhut, Director  
Division of Licensing

~~821110148~~

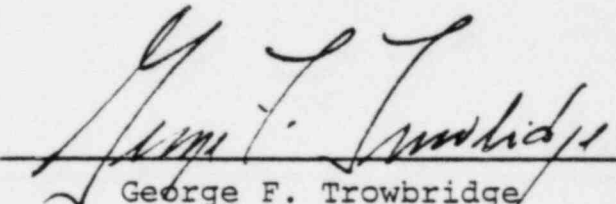
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Withdrawal of Request to Submit Motion for Reconsideration of Appeal Board Decision Dated September 15, 1982 (ALAB-692)," dated November 9, 1982, 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 9th day of November, 1982.

  
George F. Trowbridge

Dated: November 9, 1982

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Docket No. 50-320

SERVICE LIST

\*Alan S. Rosenthal, Esq.  
Chairman, Atomic Safety and  
Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Karin W. Carter, Esquire  
Assistant Attorney General  
Commonwealth of Pennsylvania  
505 Executive House  
P. O. Box 2357  
Harrisburg, PA. 17120

\*Dr. W. Reed Johnson  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Chauncey R. Kepford  
433 Orlando Avenue  
State College, PA 16801

\*Dr. John H. Buck  
Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Appeal Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*Lawrence J. Chandler, Esq.  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety and Licensing  
Board Panel  
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



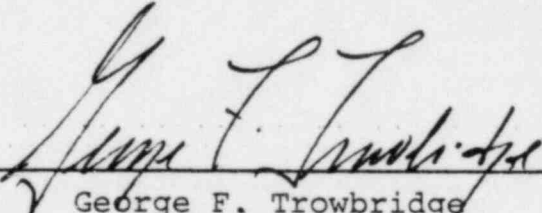
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Withdrawal of Motion to Extend Period of Time for Commission Review of ALAB-692," dated November 9, 1982, 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 9th day of November, 1982.

  
George F. Trowbridge

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SERVICE LIST

*Nunzio J. Palladino, Chairman U.S. Nuclear Regulatory Commission Washington, D.C. 20555	*Dr. John H. Buck Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555
*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
*Thomas M. Roberts, Commissioner U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Karin W. Carter, Esquire Assistant Attorney General Commonwealth of Pennsylvania 505 Executive House P. O. Box 2357 Harrisburg, PA 17120
*James K. Asselstine, Commissioner U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Dr. Chauncey R. Kepford 433 Orlando Avenue State College, PA 16801
*Alan S. Rosenthal, Esquire Chairman, Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Atomic Safety and Licensing Appeal Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555
*Dr. W. Reed Johnson Atomic Safety and Licensing Appeal Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555