

March 11, 1983

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

SECRETARY  
OF LICENSING & SERVICE  
BRANCH

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

LICENSEE'S MOTION FOR LEAVE  
TO SUPPLEMENT TESTIMONY

In Licensee's Testimony of Robert C. Jones, Jr., and Louis C. Lanese in Response to ALAB-708 Issue No. 9 (Reliance on Feed and Bleed Cooling), fol. App. Tr. 111, Mr. Lanese responded to the Appeal Board's interest, expressed at page 39 of ALAB-708, in the ability of the TMI-1 safety valves to pass two-phase flow and the effect that this ability may have upon the TMI-1 plant's capability to achieve feed and bleed cooling. Mr. Lanese reported on the results of certain EPRI tests of the TMI-1 model safety valves and compared those results with the relief capacity predicted in the B&W analysis of feed and bleed cooling.

Mr. Lanese, a safety analyst, was selected to be the Licensee witness on this subject because the Appeal Board's interest was expressed in the context of assessing the adequacy of an analysis of feed and bleed cooling at TMI-1. See ALAB-708, 16 N.R.C. \_\_\_\_\_, slip op. at 39 (Dec. 29, 1982). Because much of the examination of Mr. Lanese at the hearing

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concentrated on the mechanical design of the valves and details of the EPRI tests, rather than the analytical implications, I asked that a review of the transcript of Mr. Lanese's testimony be undertaken by James H. Correa, mechanical components engineer with GPU Nuclear Corporation, who testified before the Licensing Board on the safety and relief valves at TMI-1, and on the EPRI safety and relief valve test program. See Correa, et al., fol. Tr. 8746.

Mr. Correa's review disclosed two instances where a correction to Mr. Lanese's testimony is required:

- (1) The safety valve set pressure tolerance was reported incorrectly to be 6 percent (App. Tr. 145);
- (2) An incorrect impression may have been left on the record with respect to whether one or two safety valves were considered to be open in calculating a plant-specific back pressure for TMI-1 (App. Tr. 170-171).

In addition, Mr. Lanese's answer to the following question by UCS was stricken because it consisted of a presentation of the opinion given by Mr. Correa to Mr. Lanese:

Q Are you saying that the 31 tests, which as I understand your testimony constituted 32 openings and closings, is in your view a satisfactory demonstration of the ability of these valves to perform as they will be required in TMI Unit 1 during feed and bleed?

App. Tr. 147.

Licensee hereby moves for leave to present Mr. Correa as its first witness when the hearing reconvenes on Wednesday, March 16, 1983. The oral direct examination of Mr. Correa would be limited to establishing his familiarity with the

safety valves and EPRI tests, correcting the two items identified above from the Lanese testimony, and posing the UCS question which went unanswered because of the motion to strike. Of course, Mr. Correa would also be available for cross-examination on the direct, and for any questions by the Appeal Board.

Licensee has lodged this motion in advance of the hearing session, and as soon as the need for supplemental testimony was identified, in order to avoid consuming valuable hearing time with arguments by counsel, and to avoid an unnecessary trip by Mr. Correa in the event that he is not permitted to testify.

I have discussed this motion with counsel for the other parties. The Staff and the Commonwealth of Pennsylvania have authorized me to represent that they do not object to this motion. Counsel for UCS would agree to an oral correction by Mr. Lanese of the two errors in his testimony,<sup>1/</sup> but objects to an appearance by Mr. Correa because, among other things, his testimony will not have been written and filed in advance.

Licensee is endeavoring here to be responsive to the Appeal Board's concerns and need for additional information in this reopened proceeding. There is not an abundance of time available to file written testimony, and Mr. Correa's direct examination will be very short. In the case of the two errors in Mr. Lanese's testimony, we believe it

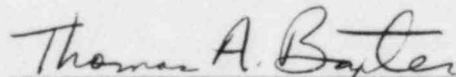
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<sup>1/</sup> Mr. Lanese will be in attendance at the hearing as a technical advisor to counsel.

would be productive to have Mr. Correa respond to any questions the Board and the parties have with respect to the correct testimony. As to the UCS question, it ill behooves that party to object now to the provision of an answer to its own question -- which would have been answered orally in the first instance. Licensee's interest in providing the answer is to assure a complete record, and to permit the Appeal Board to resolve the matters before it on the basis of that record, and not on implications drawn from what one particular witness could not assert of his own personal knowledge.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



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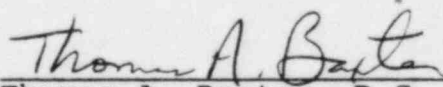
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Motion for Leave to Supplement Testimony" were served this 11th day of March, 1983, by hand delivery upon the parties identified by an asterisk and by deposit in the U.S. mail, first class, postage prepaid, to the other parties on the attached Service List.

  
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Thomas A. Baxter, P.C.

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