

PDR



CHAIRMAN

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

September 21, 1984

The Honorable Richard L. Ottinger, Chairman
Subcommittee on Energy Conservation and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am responding to your letter of July 10, 1984 regarding Three Mile Island, Unit 1 (TMI-1). The Commission has already addressed the first two matters discussed in your letter, i.e., providing you certain documents pertaining to TMI-1 restart matters on July 13, 1984 and distributing for comment a list of issues which must be resolved prior to a restart decision. A copy of the Commission's Order in this latter regard is enclosed. Commissioner Asselstine notes that he did not agree to publish the Office of Policy Evaluation memorandum of July 12, 1984 as attached to the Commission's Order, but would have agreed to publish an unadorned list of outstanding issues in the TMI-1 restart proceeding. The responses to the six questions you pose concerning the Faegre and Benson Report on the Hartman allegations are also enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Nunzio J. Palladino".

Nunzio J. Palladino

Enclosures:
As stated

cc: Rep. Carlos Moorhead

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PDR COMMS NRCC
CORRESPONDENCE PDR

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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COMMISSIONERS:

Nunzio J. Palladino, Chairman
Thomas M. Roberts
James K. Asselstine
Frederick M. Bernthal
Lando W. Zech, Jr.

OFFICE OF THE
DOCKET CLERK
BRANCH

SERVED AUG 9 1984

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

Docket No. 50-289 SP
(Restart)

ORDER

On June 1, 1984 the Commission issued an order in which it requested the parties' comments on whether, in view of ALAB-772 and all other relevant information, including investigative reports by the Office of Investigations, the management concerns which led to making the 1979 shutdown orders immediately effective have been sufficiently resolved so that the Commission should lift the immediate effectiveness of those orders prior to completion of review of any appeals from ALAB-772. The parties' comments have been received.

On June 14, 1984 Governor Thornburgh requested that he be given the opportunity to make a presentation to the Commission on behalf of the Commonwealth of Pennsylvania.

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The Commission has decided that it would be useful to hear oral presentations from the parties to the restart proceeding, including the Commonwealth. The Commission is particularly interested in hearing the parties' views on the issue raised in the Commission's June 1 order described above.

Oral presentations will be held at 1717 H St., N.W., Washington, D.C. on August 15, 1984 at 10:00 a.m. The order of appearance of speakers and the time allotted for each presentation is as follows:

Commonwealth-----	15 minutes
Licensee-----	30 minutes
Aamodts-----	15 minutes
TMIA-----	15 minutes
UCS-----	15 minutes*
NRC staff-----	25 minutes

The parties may reserve time for rebuttal.

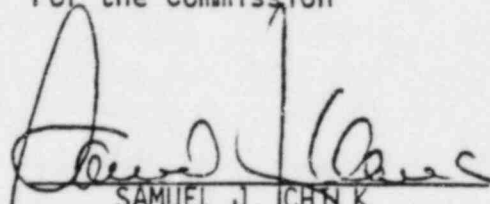
Parties should confirm their participation by notifying the Secretary of the Commission by August 10, 1984.

*The Commission notes that UCS, having chosen not to participate in the hearing on management issues and having failed to file proposed findings on those issues after being directed to do so by the Licensing Board, was deemed to be in default by the Licensing Board and has forfeited its right to participate as a party on management issues. It is therefore participating in management issues as a matter of Commission discretion.

Chairman Palladino's additional views are attached.

It is so ORDERED.

For the Commission



SAMUEL J. CHALK
Secretary of the Commission



Dated at Washington, DC,
this 6th day of August, 1984.

ADDITIONAL VIEWS OF CHAIRMAN PALLADINO

The Commission's Office of Policy Evaluation recently prepared a memorandum which identifies the possible steps for the Commission in reaching a decision on the management issues in this case and on the overall restart question. A copy of that memorandum dated July 12, 1984 is attached for the information of the parties. The purpose of the July 12 memorandum was to identify the major alternative approaches open to the Commission for making a decision in the TMI-1 (Restart) case. The memorandum should not be interpreted as indicating in any way a Commission decision or inclination on any remaining open issue in the case. Subsequent to the July 12 memorandum, the Commission issued a decision on hardware matters (ALAB-729) on July 26, 1984. CLI-84-11, 20 NRC _____. Any party that wishes to comment on the July 12 paper is invited to do so either in writing by August 15, 1984, or at the August 15 oral presentation.