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SUBCOMMITTEE ON ENERGY CONSERVATION
AND POWER

OF THE
COMMITTEE ON ENERGY AND COMMERCE
WASHINGTON, D.C. 20515

July 10, 1984

The Honorable Nunzio Palladino
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

Although the Commission had been scheduled to decide whether to allow Three Mile Island Unit 1 to restart operations by June, 1984, the Commission has not, since the August 9, 1979 order, specified the items which must be resolved prior to a decision on restart. As you know, much has occurred since the original August 9, 1979 order which suspended Unit 1's operating license. The Commission is faced with a myriad of major and minor issues which relate to the competence and integrity of the management of the licensee and of the adequacy of the equipment installed in the Unit.

During the June 21, 1984 hearing with the Commission, it was agreed that much of the confusion surrounding this case, the appearance of undue haste and insufficient attention to safety, results from the lack of a formal statement by the Commission of issues which must be resolved prior to the vote on Restart. According to your testimony, the Commission has internal documents which list the items which must be resolved prior to a decision on TMI-1 Restart, although this list has never been made public. You stated that you would provide these documents to the Subcommittee. Please provide these documents by July 13, 1984.

You also agreed to prepare a list of issues which must be resolved prior to a restart decision, for comment by the other Commissioners and parties to the proceeding. I would request that this list be made available for written comment by interested persons as well. Please keep me advised of status and development of this list.

Additionally, Mr. Chairman, you testified that a series of questions regarding the commissioning and withholding of the Faeger and Benson report from the NRC was under investigation. You stated that you are certainly going after the answers to the questions I asked. However, in transcripts of the 3 most recent

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PDR COMMS NRCC
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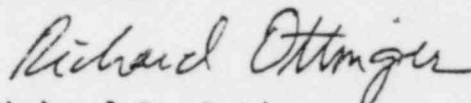
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closed Commission meetings regarding outstanding TMI investigations, there is no mention of this investigation or of the report itself. Please inform me of the status of this investigation and when it is expected to be complete. Will this investigation answer the questions I raised at the hearing? For your convenience, the questions are:

1. What has the Commission done about the failure of GPU to provide the report to the Commission?
2. Does the Commission know who requested the report and who decided not to turn the report over to the Commission?
3. What did GPU do in response to the recommendations?
4. Did GPU investigate whether its procedures were adequate at Unit 1?
5. Does the Commission have information indicating whether GPU officials were aware of the falsification prior to the accident?
6. Does the Commission plan to institute enforcement actions against GPU as a consequence of its failure to provide the Faeger and Benson Report in a timely manner?

Thank you for your attention to this matter.

Sincerely,



Richard L. Ottinger
Chairman