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

RELATED CORRESPONDENCE

October 30, 1984

DOCKETED
USNRC

'84 NOV HAND DELIVERED

Lynne Bernabei, Esq.
Government Accountability Project
1555 Connecticut Avenue, NW
Suite 202
Washington, DC 20036

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

Dear Ms. Bernabei:

I have received TMIA's October 25, 1984 Response to Staff's Interrogatories to TMIA. I wish to correct for the record an inaccuracy contained in TMIA's response to Interrogatory No. 17(c). TMIA states that the "NRC Staff has represented that it will attempt to provide Mr. Gamble with access to OIA files to permit him to prepare his testimony." Neither I nor other Counsel for NRC Staff made any such representation, and I do not believe anyone else made such a representation on behalf of the Staff. If you are referring to your telephone request to me on October 22, 1984, for certain specific documents which you believe were in Mr. Gamble's files at one time, then the substance of that conversation is as I described to the Licensing Board on the record at the prehearing conference on October 26, 1984. Specifically, I agreed to communicate your request to OIA and communicate to you OIA's response, which is being done today in a separate letter. At no time did I agree to "attempt to provide Mr. Gamble with access to OIA files..."

One other matter regarding TMIA's response to Staff's interrogatories: Contrary to 10 C.F.R. § 2.740b(b), TMIA did not answer the interrogatories "under oath or affirmation." Please provide an affidavit from Mr. Gamble for the answers he supplied and affidavits from any other individuals who answered the interrogatories on behalf of TMIA. If you object for some reason to complying with 10 C.F.R. § 2.740b(b) in this regard, please notify me immediately so I can file a motion to compel compliance.

Sincerely,

Jack R. Goldberg
Counsel for NRC Staff

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cc: TMI-1 Service List

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