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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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OFFICE OF SECRETARY
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In the Matter of

METROPOLITAN EDISON COMPANY

(Three Mile Island Nuclear
Station, Unit No. 1)

Docket No. 50-289 SP
(Restart)

INTERVENOR'S RESPONSE TO 6 AUG 84 ORDER

The Commission again attempts to view TMI #1 in a vacuum. Not only does the Commission refuse to consider any problem on the Island that does not have a "NEXUS" to the TMI #2 accident in the restart decision, but also, does not act as if TMI #1 is part of the real world. The Commission acts as if this were a textbook exercise. TMI #1 exists in the real world and restart will endanger the health and safety of the public.

The staff also has this strange abhorrence of reality at TMI #2.

A. The polar crane - subject of ongoing charges against the applicant and bechtel - sure enough caused problems during the headlift.

B. The Q-list for #1 was finally completed 5 years after the accident. Instead of chiding the applicant for tardiness,

(2)

The staff lauded the applicant for completing a list that should have been available years ago.

C. Despite staff reluctance, the Department of Justice is finally investigating many criminal actions by the applicant;

- 1- Hartman allegations of leak falsification at #2 also occurred at #1.
- 2- Cheating on tests.
- 3- Condensate polisher related questions.

The Commission has little credence with the public. Apparently the Commission and staff believe their primary concern is protecting the licensee. I respectfully request that the Commission disqualify itself, and refer the restart decision to an appropriate Federal Court.

Respectfully submitted,

Marvin I. Lewis, R.P.E.

Marvin I. Lewis,
Intervenor by discretion
of the TMI #1 restart
ASLB.

M. I. LEWIS
6504 BRADFORD TERF
PHILA, PA. 19140