

August 23, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD '84 AGO 24 AIO:46

In the Matter of	)	
	)	
METROPOLITAN EDISON COMPANY	)	Docket No. 50-289 <i>OK</i>
	)	(Restart Remand on Management)
(Three Mile Island Nuclear	)	
Station, Unit No. 1)	)	

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

LICENSEE'S REQUEST FOR AN EXTENSION OF TIME  
WITHIN WHICH TO ANSWER TMIA'S SECOND SET  
OF INTERROGATORIES TO GPU

On August 13, 1984, intervenor Three Mile Island Alert (TMIA) hand-served on Licensee's counsel a Second Set of Interrogatories. These comprehensive interrogatories, 75 in number (excluding subparts), all pertain to the training remand. Answers to these interrogatories are due on August 27, 1984. 10 C.F.R. § 2.740(b). Licensee also was hand-served with a second document production request on August 13, to which a written response is due on September 12, 1984. 10 C.F.R. § 2.741.

Licensee has now completed its review of these discovery requests and has begun to prepare answers to the interrogatories, the vast majority of which Licensee expects to answer substantively, and not pose any objection to. Licensee also has begun gathering the extensive documents requested by TMIA and expects to be able to meet the September 12 document

D503

8408270115 840823  
PDR ADOCK 05000289  
G PDR

production response date. However, it simply is not feasible for Licensee to meet the August 27 date for filing answers to TMIA's Second Set of Interrogatories.

Licensee relayed this information to TMIA's counsel on August 20, and requested an extension until September 12 to file its answers to the training interrogatories. TMIA's counsel would not agree to this request without Licensee's agreement to extend the discovery period a like period of time, i.e., 16 days. Because Licensee is making every effort to facilitate the expeditious litigation of this remanded proceeding, Licensee would not agree to TMIA's request, which is not linked to any specific need by TMIA for further discovery beyond the current deadline of September 30.

Furthermore, Licensee notes that TMIA waited more than a month after the discovery period had begun before filing its Second Set of Interrogatories on Licensee. See Memorandum and Order Following Prehearing Conference, July 9, 1984, at 9. In such circumstances, it is unreasonable for TMIA to demand and expect an automatic extension of the discovery period (and, presumably, a delay in the scheduled evidentiary hearing) because Licensee cannot answer TMIA's extensive interrogatories on training within the time provided by the regulations.

Licensee therefore requests that the Board grant it an extension of time, until September 12, 1984, to answer TMIA's Second Set of Interrogatories. Licensee notes, in this regard, that while it will make every effort to meet this proposed

deadline, a number of the interrogatories are directed at the Reconstituted OARP Review Committee. The members of this Committee are extremely busy individuals; they also are located in various regions of the country. Licensee takes this opportunity to inform the Board that it may be necessary for Licensee to request more time within which to answer the interrogatories directed at the Committee, although Licensee is not now making this request.

Respectfully submitted,

*Deborah B. Bauser*

---

Ernest L. Blake, Jr., P.C.  
Deborah B. Bauser  
SHAW, PITTMAN, POTTS & TROWBRIDGE  
1800 M Street, N.W.  
Washington, D.C. 20036  
(202) 822-1000

Counsel for Licensee

Dated: August 23, 1984

August 23, 1984

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

'84 AGO 24 AIO:46

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SERVICE AND  
DOCKETING & SERVICE  
BRANCH

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

CERTIFICATE OF SERVICE

I hereby certify that copies of Licensee's Request for an Extension of Time Within Which to Answer TMIA's Second Set of Interrogatories to GPU were served this 23rd day of August, 1984, by hand delivery to the parties identified with an asterisk and by deposit in the U.S. mail, first class, postage prepaid, to the other parties on the attached Service List.

Deborah B. Bauser  
Deborah B. Bauser

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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

Service List

Administrative Judge\*  
Ivan W. Smith  
Chairman, Atomic Safety &  
Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Administrative Judge\*  
Sheldon J. Wolfe  
Atomic Safety & Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Administrative Judge\*  
Gustave A. Linenberger, Jr.  
Atomic Safety & Licensing  
Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Jack Goldberg, Esq.  
Office of Executive Legal Dtr.  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Chairman, Atomic Safety &  
Licensing Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Chairman, Atomic Safety &  
Licensing Appeal Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Thomas Y. Au, Esq.  
Office of Chief Counsel  
Dept. of Environmental Resources  
505 Executive House  
P.O. Box 2357  
Harrisburg, PA 17120

Docketing & Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Mr. Norman Aamodt  
R. D. 5  
Coatesville, PA 19320

Joanne Doroshow, Esq.  
The Christic Institute  
1324 North Capitol Street  
Washington, D.C. 20002

Mr. Henry D. Hukill  
Vice President  
GPU Nuclear Corporation  
P.O. Box 480  
Middletown, PA 17057

Michael F. McBride, Esq.  
LeBoeuf, Lamb, Leiby & MacRae  
1333 New Hampshire Avenue, N.W.  
Suite 1100  
Washington, D.C. 20036

Michael W. Maupin, Esq.  
Hunton & Williams  
707 East Main Street  
P.O. Box 1535  
Richmond, VA 23212

Administrative Judge  
Christine N. Kohl  
Atomic Safety & Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Ellyn R. Weiss, Esq.  
William S. Jordan, III, Esq.  
Harmon, Weiss & Jordan  
2001 S Street N.W., Suite 430  
Washington, D.C. 20009

Lynne Bernabei, Esq.\*  
Government Accountability  
Project  
1555 Connecticut Avenue  
Washington, D.C. 20009

Ms. Louise Bradford  
TMI ALERT  
1011 Green Street  
Harrisburg, PA 17102

Administrative Judge  
Gary J. Edles, Chairman  
Atomic Safety & Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Administrative Judge  
John H. Buck  
Atomic Safety & Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555