



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

ccs
IN RESPONSE, PLEASE
REFER TO: M840907

September 11, 1984

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: Herzel H.E. Plaine, General Counsel
FROM: Samuel J. Chilk, Secretary
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 10:00 A.M., FRIDAY, SEPTEMBER 7,
1984, COMMISSIONERS' CONFERENCE ROOM, D.C.
OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-84-317 - Licensee's Request for Stay of ALAB-772
(Management Decision in TMI-1 Restart Proceeding) and
TMIA Request to Lift Stay of ALAB-738 (Decision Reopening
Record of Hartman Allegations)

The Commission, by a vote of 5-0, approved an order which denied the licensee's request for a stay of the remanded hearings ordered by ALAB-772 and granted the TMIA request to lift the stay on the reopened hearing on the Hartman allegations (ALAB-738).

(Subsequently, on September 11, 1984 the Secretary signed the Order.)

II. SECY-84-330B - Review of ALAB-772 (The Management Decision
in the TMI-1 Restart Proceeding) and ALAB-738 (Reopening
on Hartman Allegations)

The Commission, by a vote of 4-1 (Commissioner Asselstine disapproving), approved an order which indicated that the Commission had decided to review the Appeal Board's decision on three issues to determine whether further hearings are warranted. The Commission also decided to review whether the Appeal Board in this proceeding had the legal authority to remove Mr. Charles Husted from supervisory duties, without providing Mr. Husted with notice and an opportunity to request a hearing.

In addition, the Commission decided to take review of whether further hearings are required on the Hartman allegations, as directed by the Appeal Board in ALAB-738. Finally, the Commission decided to review whether any of the information discussed in staff's latest evaluation of management integrity, NUREG-0680, Supplement No. 5, requires further hearings.

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The Commission decided not to rule on whether to lift the immediate effectiveness of the 1979 shutdown orders.

(Subsequently, on September 11, 1984 the Secretary signed the Order.)

cc: Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
Commission Staff Offices
EDO
PDR - Advance
DCS - 016 Phillips