

GOVERNMENT ACCOUNTABILITY PROJECT

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RELATED CORRESPONDENCE

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USNRC

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HAND-DELIVERED

September 17, 1984

OFFICE OF SECRETARY
USNRC
BRANCH

Ernest L. Blake, Jr., Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street N.W.
Washington, D.C. 20036

Dear Ernie:

This Saturday I completed my review of the documents GPU has produced up to this point in response to TMIA's First Request for Production and First Set of Interrogatories concerning the issue of the Dieckamp mailgram.

In my review of these documents, I discovered some "gaps" or portions of the documents which appear to be missing. I am listing in this letter these gaps or portions of the documents which appear to be missing.

In addition, I requested a list of certain documents identified by GPU employees to be relevant to the Dieckamp mailgram issue. In the list provided to you were engineers' logs from the Observation Center. I understand you determined these logs were not relevant to TMIA's discovery request. These were, however, deemed relevant by V.P. Orlandi. It appears to me that engineer logs maintained at the Observation Center would certainly be relevant, insofar as they recorded information reaching the Observation Center on the first three days of the accident, March 28 through March 30, 1979. As you know, at least one of the individuals who says she was aware of the hydrogen explosion on March 28 stated that she obtained that information through the Observation Center. Therefore, I believe these logs are relevant to the Dieckamp mailgram issue. Further, I do not understand why GPU has chosen to withhold these logs when other logs have been released in response to TMIA's discovery requests.

The gaps which I have detected in other documents disclosed to TMIA are the following:

(1) Mr. Dieckamp's notes were produced. Although he appears to be a prolific note-taker, his notes for March 28 end in the early morning hours and no notes for March 29 were produced.

(2) A document provided in response to TMIA Interrogatory No. 43 purports to be "Logs from Unit I Control Room" for the period of March 28 through March 30, 1979. In fact, the document only contains one page which records information from a day other than March 30. That page records radiation readings starting at 9:49 p.m. in the evening (21:49). Obviously, the document contains no readings from the early part of March 28, 1979, which is the time period when the hydrogen explosion and the pressure spike occurred.

Ernest L. Blake, Jr., Esquire
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(3) A set of logs produced in response to Interrogatory 36 begins at 8:30 a.m. on March 29, 1979. Again no logs were produced for March 28, 1979, and the majority of the documents included in the package of logs is from March 30.

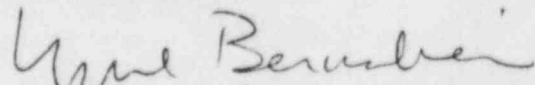
(4) A document produced in response to TMIA Document Request No. 1 (No. D-1(4)) appears to be a telephone log of comments and readings of various indicators for March 28. The log stops at 1:40 p.m. on March 28, precisely 10 minutes prior to the pressure spike and hydrogen explosion. It appears that the rest of the page has either been redacted or erased.

I formally request at this time that you provide the remainder of the documents if in fact you find that any portion of the documents listed above is missing. Many of the documents appear to have been provided previously either to the NRC or perhaps to B&W in GPU's litigation with B&W. Perhaps comparing the document produced to TMIA with the document as produced to the NRC or B&W would help determine whether in fact the document is complete.

I also request that you provide for TMIA some indication of the author of the documents I have listed above, since on most there is no indication of the person who wrote the document or the circumstances under which he or she wrote it.

If you have any problem identifying the documents I have described above, please contact me at your earliest possible opportunity.

Sincerely yours,



Lynne Bernabei
Attorney for Three Mile Island Alert

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board

In the Matter of)

'84 SEP 19 11:44

METROPOLITAN EDISON COMPANY)

Docket No. 50-289 SP

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

(Restart - Management Phase)

I hereby certify that a copy of the foregoing TMIA's Response to Licensee's First Request for Production of Documents to TMIA; TMIA's Response to Licensee's Third Set of Interrogatories have been served this 17th day of September, 1984, by mailing a copy, first class postage prepaid to the following:

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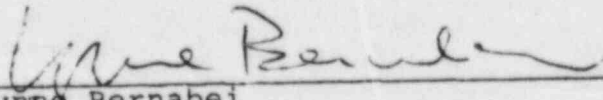
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