

RELATED CORRESPONDENCE

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TMIA 9/24/84
USNRC

'84 SEP 25 P3:03

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Before the Atomic Safety and Licensing Board

In the Matter of)
)
METROPOLITAN EDISON COMPANY)
)
(Three Mile Island Nuclear)
Station, Unit 1))
)

Docket No. 50-289
(Restart-Management Phase)

NOTICE OF DEPOSITION OF WALTER MARSHALL

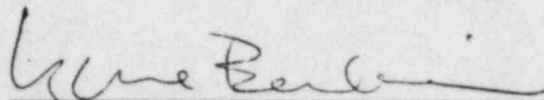
PLEASE TAKE NOTICE THAT intervenor Three Mile Island Alert ("TMIA") will take the deposition of Walter Marshall, currently employed by licensee, on Thursday, October 4, 1984 at 3:00 p.m. at the Friends Meeting House, 6th and Herr Streets (1100 6th St.), Harrisburg, PA, 17102. TMIA seeks testimony from Mr. Marshall related to the Dieckamp mailgram issue presently before this Atomic Safety and Licensing Board.

Said deposition will begin at 3:00 p.m. and will continue thereafter until completed.

Respectfully submitted,

Joanne Doroshov / CB
Joanne Doroshov
The Christic Institute
1324 North Capitol Street
Washington, D.C. 20002
(202) 797-8106

8409260290 840924
PDR ADOCK 05000289
PDR



Lynne Bernabei
Government Accountability Project
1555 Connecticut Ave. N.W.
Suite 202
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(202) 232-8550

DATED: September 24, 1984

Attorneys for Three Mile Island
Alert

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

Before the Atomic Safety and Licensing Board

In the Matter of)
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METROPOLITAN EDISON COMPANY) Docket No. 50-289 SP
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Station, Unit No. 1))

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I hereby certify that a copy of the foregoing TMIA's Fourth Set of Interrogatoires to Licensee; TMIA's Supplemental Response to Licensee's First Set of Interrogatories; and Notice of Deposition of Walter Marshall have been served this 24th day of September, 1984, by mailing a copy first-class postage prepaid to the following:

SERVICE LIST

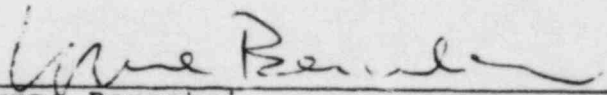
Administrative Judge Ivan W. Smith, Chairman Atomic Safety & Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Thomas Au, Esq. Office of Chief Counsel Department of Environmental Resources 505 Executive House P.O. Box 2357 Harrisburg, PA 17120
Administrative Judge Sheldon J. Wolfe Atomic Safety & Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	John A. Levin, Esq. Assistant Counsel Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17120
Administrative Judge Gustave A. Linenberger, Jr. Atomic Safety & Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	*Ernest L. Blake, Jr. Shaw, Pittman, Potts & Trowbridge 1800 M Street, N.W. Washington, D.C. 20036
Docketing and Service Section (3) Office of the Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Mr. Henry D. Hukill Vice President GPU Nuclear Corporation P.O. Box 480 Middletown, PA 17057
Atomic Safety & Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Mr. and Mrs. Norman Aamodt R.D. 5 Coatesville, PA 19320
Atomic Safety & Licensing Appeal Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Ms. Louise Bradford TMI ALERT 1011 Green Street Harrisburg, PA 17102
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Lynne Bernabei

* Served by hand.

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RELATED CORRESPONDENCE

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(202) 232-8550

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HAND-DELIVERED

September 24, 1984

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

George F. Trowbridge, Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street N.W.
Washington, D.C. 20036

Dear Mr. Trowbridge:

In accordance with our discussion on Friday, September 21, concerning our intention to depose Mr. Blake, I am submitting to you a list of questions on two issues.

The first issue is Mr. Blake's knowledge of a September 17, 1980 Memorandum to Mr. Arnold from Mr. Wallace with attachments. Mr. Blake is listed as a recipient of the Memorandum.

The second issue concerns GPU's response to TMIA Interrogatory No. 48 in Licensee's Response to TMIA's First Set of Interrogatories to GPU, which states that Mr. Dieckamp received a copy of GPU's interview of Brian Mehler, dated April 25, 1979, from Mr. Blake on or about January 28, 1981. (Mr. Dieckamp also responds that he was not aware of the NRC interview of Mr. Mehler, dated May 17, 1979, and the NRC interview of Mr. Chwastyk, dated May 21, 1979, until about March, 1980.)

The questions I have of Mr. Blake regarding the first issue are the following:

- (1) When did you first become aware of the September 17, 1980, Memorandum from Mr. Wallace to Mr. Arnold? Describe the circumstances under which you learned of the Memorandum.
- (2) When did you first become aware of the "Moore notes" attached to this Memorandum, which constitute the 10 handwritten pages immediately following the Memorandum? Describe the circumstances under which you became aware of these notes.
- (3) At the time you became aware of the "Moore notes", did you or any licensee personnel read the portion of the notes which indicate that Mr. Moore was informed on March 28, 1979 that in-core thermocouple temperatures read over 2500 degrees F?

Identify all persons who are aware that Mr. Moore had taken notes on March 28, 1979 which indicated he was so informed, and the dates these persons learned that fact.

- (4) Identify any discussion with GPU personnel or attorneys concerning

whether these in-core temperature readings indicated the possible generation of hydrogen? Identify any discussions with GPU personnel or attorneys concerning whether these in-core temperature readings indicated severe core damage.

In answering these questions identify all persons who participated in any such discussions and the substance and nature of each such person's participation.

(5) Identify any GPU personnel or attorney who concluded or determined that Mr. Moore or other GPU or B&W personnel concluded on March 28, 1979, that in-core temperatures in excess of 2500 degrees F indicated the generation of hydrogen.

(6) Identify any GPU personnel or attorney who determined that Mr. Moore or any other GPU or B&W personnel concluded on March 28, 1979, that in-core temperatures in excess of 2500 degrees F indicated severe core damage.

(7) Identify any discussions or conversations concerning whether the information contained in these notes, that is, that Mr. Moore knew on March 28, 1979 that in-core thermocouples had read temperatures exceeding 2500 degrees F, should have been reported to the NRC. If any such discussions or conversations are identified, state with respect to each such discussion or conversation the following:

- (a) the persons participating in any such discussion or conversation;
- (b) the date of all such discussions or conversations; and
- (c) any action taken by licensee personnel as a result of any such discussion or conversation;

(8) Identify all persons to whom the "Moore notes" were distributed and the date and purpose for such distribution.

(9) Identify any discussions or conversations concerning the "Moore notes" between you and any of the following individuals:

- (a) Robert Arnold;
- (b) E.G. Wallace;
- (c) B. Behrle;
- (d) Herman Dieckamp; and
- (e) the NRC Staff or any NRC Commissioner.

(10) When did you become aware of the "Untitled Memorandum" written by Mr. Behrle, Mr. Guilbord and Mr. Reppert, which is a second attachment to the Arnold Memorandum? Describe the circumstances under which

you first became aware of this Memorandum.

(11) What is your understanding of the purpose or reason the September 17, 1980, Arnold Memorandum was prepared for Mr. Arnold? How has GPU used this Memorandum since its preparation?

(12) When did you first become aware of the draft TDR-115 which appears as the last attachment to the Memorandum to Mr. Arnold? Describe the circumstances under which you first became aware of the draft TDR-115.

(13) If you did not learn of the September 17, 1980, Memorandum to Mr. Arnold at or near the date of its preparation, explain why you did not receive a copy although you are listed on the distribution for the Memorandum.

(14) Describe your understanding of the reason(s) that Mr. Arnold requested information from Mr. Wallace concerning "Internal Work Related to GPU's Knowledge of Core Damage Following the TMI-2 Accident" at or near the date of the Memorandum. Include in your response whether one of the reasons Mr. Arnold requested such a memorandum was the on-going NRC investigation into the reporting of information during the accident.

(15) To your knowledge, to whom was the information contained in Mr. Moore's notes distributed on March 28, 1979? Include in your response any knowledge or information of distribution of such information to Mr. Arnold, Mr. Dieckamp, Mr. Wallace, or Mr. Keaton.

(16) Describe any conversations, discussions or other communications with Mr. Moore concerning the substance of his notes, in particular the notation in his notes that he learned that in-core thermocouple readings indicated temperatures in excess of 2500 degrees F on March 28, 1979.

(17) Describe the GPU position on the date you learned of Mr. Moore's notes, with regard to the individuals who knew or learned on March 28, 1979 of any of the following:

(a) hydrogen had been generated due to the zirconium-steam reaction;

(b) a hydrogen combustion and/or explosion had occurred, or some type of explosion had occurred;

(c) the core had been severely damaged,

(d) in-core temperatures in excess of 2200 degrees F had been measured;

(e) in-core temperatures in excess of 2200 degrees F had been measured and were believed to be accurate by some GPU personnel.

(6) Describe any communications, discussions or conversations with Mr. Dieckamp concerning whether Mr. Mehler or Mr. Chwastyk's interviews cited in question (1) above constituted evidence that some persons at TMI-2 on March 28, 1979, interpreted the pressure spike in terms of hydrogen generation on that day.

Answer the question above with regard to any communications, discussions or conversations with Mr. Dieckamp concerning whether Mr. Mehler or Mr. Chwastyk's interviews constituted evidence that some persons on March 28, 1979, interpreted the pressure spike in terms of core damage.

(7) Describe any communications, discussions or conversations with any GPU personnel, including Mr. Dieckamp, as to whether any statements Mr. Dieckamp made in his mailgram should be corrected, amended or otherwise modified. For any such communications, discussions, or conversations identified above, state the following:

- (a) the date it occurred;
- (b) all participants; and
- (c) any action licensee took as a result of any such conversation, discussion, or communication.

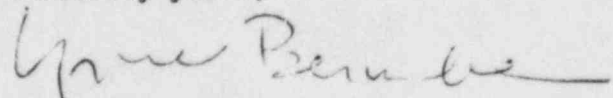
I understand from my conversation with you Friday that you believe Mr. Blake will be willing to answer questions about these two issues as long as they request factual information. Therefore, I have attempted through these questions to request factual information.

As you know, Mr. Blake is currently noticed for a deposition to commence on September 27, 1984. I hope that your offer to provide written answers to our questions where appropriate will eliminate the need for his deposition. Therefore, I ask you to contact me as soon as possible as to whether he will answer these written questions. I will be in Harrisburg from Tuesday morning through Friday for other scheduled depositions.

If we cannot reach some agreement on Mr. Blake's response to the questions posed above, we will have to proceed with Mr. Blake's deposition on Thursday. In the alternative, we will have to determine a mutually convenient date to which to continue the deposition.

Please contact me at your earliest possible opportunity.

Sincerely yours,


Lynne Bernabei

cc: Service List