

September 21, 1984

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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'84 OCT -1 P2:33

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
OF LICENSING & SERVICE  
BRANCH

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

STIPULATION OF PARTIES  
ON MAILGRAM EVIDENCE

The undersigned parties to this Stipulation, Licensee, NRC Staff and TMIA (lead intervenor on this issue), hereby stipulate as follows:

1. At the evidentiary hearing presently scheduled to convene about November 15, 1984, the below listed documents or portions of documents shall be admitted into evidence without objection. All listed documents are admitted only in so far as they contain information within the scope of the Dieckamp mailgram issue, such scope as determined by the presiding Licensing Board in this proceeding. Some listed documents (notably NUREG-0760 and the Report of the Majority Staff of the Committee on Interior and Insular Affairs as well as a number of individuals' statements or depositions) are recognized to include information beyond the scope of the Dieckamp mailgram issue, but

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are to be admitted in their entirety because relevant and material information therein are intertwined with irrelevant or immaterial information.

Met Ed Chronology dictated by H. McGovern  
(March 29, 1979)

Met Ed Interview of C. Faust (March 30, 1979).

Met Ed Interview of E. Frederick (March 30, 1979).

NRC Meeting (March 30, 1979).

TMI Nuclear Power Plant Accident: Hearings Before the Subcommittee on Nuclear Regulation of the Senate Committee on Environment and Public Works, 96th Cong., 1st Sess., Parts 1 and 2 (1979).

Statement by G. Miller et al. (April 14, 1979)

NRC Interview of J. Flint (April 20, 1979)

NRC Interview of J. Flint (April 23, 1979)

Met Ed Interview of J. Flint (April 25, 1979)

Met Ed Interview of B. Mehler (April 25, 1979)

Met Ed Interview of H. McGovern (May 4, 1979)

NRC Interview of G. Miller (May 7, 1979)

NRC Interview of J. Logan (May 9, 1979)

Accident at Three Mile Island: Oversight Hearings before a Task Force of the Subcommittee on Energy and the Environment of the House Committee on Interior and Insular Affairs, 96 Cong., 1st Sess., Parts 1 and 2 (1979)

NRC Interview of B. Mehler (May 17, 1979)

NRC Interview of M. Ross (May 19, 1979)

NRC Interview of I. Porter (May 21, 1979)

NRC Interview of J. Chwastyk (May 21, 1979)

NRC Interview of T. Illjes (May 23, 1979)

NRC Interview of D. Weaver (May 24, 1979)

Third Meeting of the President's Commission on the Accident at Three Mile Island: Testimony on G. Miller (May 31, 1979)

Statement of L. Rogers (June 12, 1979)

NRC Interview of L. Wright (June 15, 1979)

NRC Interview of N. Bennett (June 19, 1979)

NRC Interview of W. Yeager (June 20, 1979)

NRC Interview of J. Flint (July 2, 1979)

NRC Interview of I. Porter (July 2, 1979)

NRC Interview of C. Mell (July 14, 1979)

NUREG-0600 (July, 1979)  
pages i to iii (Preface and Acknowledgement)  
pages I-3-1 to I-3-43 (Management Actions During Accident)  
pages I-4-1 to I-4-81 (Significant Events During Accident)

Hart Comm. Interview of B. Mehler (Aug. 22, 1979)

Hart Comm. Interview of C. Mell (Aug. 22, 1979)

Hart Comm. Interview of I. Porter (Aug. 22, 1979)

Hart Comm. Interview of E. Frederick (Aug. 22, 1979)

Hart Comm. Interview of G. Kunder (Aug. 22, 1979)

NRC Interview of J. Higgins (Aug. 24, 1979)

NRC Interview of Faust, Frederick, Scheimann, and Zewe (Sep. 11, 1979)

NRC Deposition of G. Hitz (Sep. 12, 1979)

NRC Interview of J. Logan (Sep. 12, 1979)

NRC Interview of J. Floyd (Sep. 13, 1979)

NRC Deposition of J. Higgins (Sep. 13, 1979)

NRC Deposition of G. Kunder (Sep. 18, 1979)

NRC Deposition of M. Ross (Sep. 18, 1979)  
NRC Deposition of J. Herbein (Sep. 19, 1979)  
Hart Comm. Interview of D. Eisenhut (Sep. 20, 1979)  
NRC Interview of G. Miller (Sep. 20, 1979)  
NRC Deposition of L. Rogers (Oct. 11, 1979)  
NRC Deposition of J. Chwastyk (Oct. 11, 1979)  
NRC Deposition of B. Mehler (Oct. 11, 1979)  
NRC Deposition of D. Neely (Oct. 12, 1979)  
Hart Comm. Interview of W. Marshall (Oct. 17, 1979)  
Hart Comm. Interview of G. Miller (Oct. 18, 1979)  
NRC Deposition of G. Miller (Oct. 29, 1979)  
NRC Deposition of M. Poss (Oct 30, 1979)  
NRC Deposition of I. Porter (Oct. 30, 1979)  
NRC Deposition of B. Mehler (Oct. 30, 1979)  
NRC Deposition of J. Chwastyk (Oct. 30, 1979)  
NUREG/CR-1250: Report of the Special Inquiry Group  
(Jan. 1980)  
    Vol. I, pages i-x (Intro)  
    Vol. I, pages 42-43 (The Thud)  
    Vol II, Part 3, pages 894-913 (Reporting  
    of Critical Information)  
  
Memorandum from Rogovin/Frampton to Chairman Ahearne  
(March 4, 1980)  
  
Subcommittee on Nuclear Regulation of the Senate  
Committee on Environment and Public Works, "Report  
to the U.S. Senate: Nuclear Accident and Recovery at  
Three Mile Island" (June 1980)  
    pages 1-5 (Introduction)  
    pages 93-160 (The First Day)  
  
NRC Interview of D. Berry (Sep. 3, 1980)  
NRC Interview of B. Mehler (Sep. 3, 1980)  
NRC Interview of L. Wright (Sep. 3, 1980)

NRC Interview of J. Chwastyk (Sep. 4, 1980)  
NRC Interview of G. Kunder (Sep. 4, 1980)  
NRC Interview of W. Zewe (Sep. 4, 1980)  
NRC Interview of G. Miller (Sep. 5, 1980)  
NRC Interview of H. Dieckamp (Sep. 12, 1980)  
NRC Interview of M. Ross (Sep. 24, 1980)  
NRC Interview of I. Porter (Sep. 24, 1980)  
NRC Interview of M. Benson (Sep. 24, 1980)  
NRC Interview of T. Illjes (Sep. 24, 1980)  
NRC Interview of N. Bennett (Sep. 29, 1980)  
NRC Interview of J. Higgins (Oct. 7, 1980)  
NRC Interview of D. Neely (Oct. 7, 1980)  
NRC Deposition of E. Frederick (Oct. 9, 1980)  
NRC Deposition of C. Faust (Oct. 9, 1980)  
NRC Deposition of J. Scheimann (Oct. 9, 1980)  
NRC Deposition of W. Conaway (Oct. 9, 1980)  
NRC Deposition of J. Logan (Oct 16, 1980)  
NRC Deposition of A. Miller (Oct. 28, 1980)  
NUREG-0760 (Jan. 1981)  
NRC Memorandum to the Files from William  
Clements (Feb. 24, 1981)

Majority Staff of the House Committee on Interior  
and Insular Affairs, "Reporting of Information  
Concerning the Accident at Three Mile Island"  
(March, 1981).

2. For purposes of the evidentiary hearing presently  
scheduled to commence about November 15, 1984, the parties  
stipulate that in retrospect, if all the in-core

thermocouple readings had been available and had been examined, it might have been recognized that the 2000°F temperature indicated that the core was within the range in which an autocatalytic exothermic zircalloy-steam reaction could occur.

The signatory parties agree that acceptance of this stipulation by the Licensing Board will bind the parties at the evidentiary hearing and further obviate TMIA's present intention to call Dr. Henry Myers as a witness in the captioned proceedings. Licensee agrees in the captioned proceedings not to pursue its present intention to depose Dr. Myers, and not to seek documents from Dr. Myers, TMIA or NRC related to Dr. Myers on the Dieckamp mailgram issue. Licensee further agrees to withdraw a number of outstanding interrogatories to TMIA (namely, Interrogatory Nos. 13 and 19 of Licensee's Second Set of Interrogatories to TMIA and Interrogatory Nos. 1 through 18, 21, and 22 of Licensee's Third Set of Interrogatories to TMIA.)

Respectfully submitted,  
SHAW, PITTMAN, POTTS & TROWBRIDGE

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In the Matter of )  
METROPOLITAN EDISON COMPANY, ET AL. )  
(Three Mile Island Nuclear Station, )  
Unit No. 1) )

Docket No. 50-289  
(Restart Remand  
on Management)

CERTIFICATE OF SERVICE

I hereby certify that copies of "STIPULATION OF PARTIES ON MAILGRAM EVIDENCE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system, this 26th day of September, 1984:

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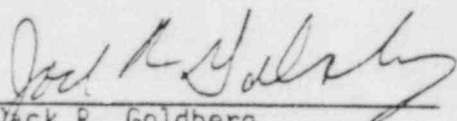
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