

November 13, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
TSNRC
'84 NOV 14 P3:58

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

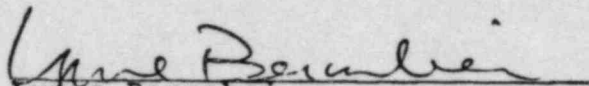
APPLICATION FOR ISSUANCE OF SUBPOENA

Pursuant to 10 CFR 2.720, Intervenor Three Mile Island Alert ("TMIA") applies to the Atomic Safety and Licensing Board for the issuance of a Subpoena to Joseph Chwastyk, 3809 Bellow Drive, Camp Hill, Pennsylvania, 17011, to require the abovenamed individual to appear and give testimony at the hearing on the Dieckamp Mailgram issue, scheduled to commence on November 14, at 1:00 p.m. TMIA requests that Mr. Chwastyk be subpoenaed to appear and to testify on November 21 at 9:30 a.m. A copy of the proposed subpoena is attached.

Mr. Chwastyk's testimony is relevant to the issues of whether any site personnel interpreted the pressure spike on March 28 to indicate core damage and the accuracy of the statements in the Dieckamp Mailgram.

WHEREFORE Intervenor TMIA respectfully requests that the Chairman of the Licensing Board issue a Subpoena in the form attached hereto directing Mr. Chwastyk to appear and give testimony at this hearing on November 21 at 9:30 a.m.

Respectfully submitted,



Lynne Bernabei
Government Accountability Project
1555 Connecticut Ave. N.W.
Suite 202
Washington, D.C. 20036
(202) 232-8550



Joanne Doroshow
The Christic Institute
1324 North Capitol
Washington, D.C. 20002
(202) 797-8106

Dated: November 13, 1984

Attorneys for Three Mile Island
Alert

RELATED CORRESPONDENCE
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

Before the Atomic Safety and Licensing Board

'84 NOV 14 P3:58

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

SUBPOENA

THE NUCLEAR REGULATORY COMMISSION AND IVAN W. SMITH, CHAIRMAN,
ATOMIC SAFETY AND LICENSING BOARD, TO: Joseph Chwastyk,
3809 Bellow Drive, Camp Hill, Pennsylvania, 17011.

YOU ARE HEREBY COMMANDED to appear and to give testimony
in the abovementioned action on the subject matter of the
Dieckamp Mailgram issue, including your and other site
personnel's interpretation of the pressure spike on March 28,
1979, and other matters deemed relevant by this Board on this
issue.

You have been subpoenaed to appear to testify on November
21, 1984, at 9:30 a.m., by Intervenor Three Mile Island Alert,
Inc.

Pursuant to the Commission's regulations at 10 CFR 2.270(f),
on motion made by you promptly, and in any event before 9:30
a.m., on November 21, 1984, and on notice to attorney for
Intervenor, the Chairman of the Atomic Safety and Licensing
Board, or if he is unavailable, any alternative chairman of
the Board, may (1) quash or modify the subpoena if it is
unreasonable or requires evidence not relevant to any matter

in issue, or (2) condition denial of the motion on just and reasonable ground.

YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS SUBPOENA MAY BE DEEMED A CONTEMPT AND APPROPRIATE SANCTIONS MAY BE ORDERED.

DATED THIS _____ DAY OF _____, 1984.

ATOMIC SAFETY AND LICENSING BOARD

By: _____

Ivan W. Smith, Chairman

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

84 NOV 14 P3:58

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

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

I hereby certify that a copy of the foregoing Application and Proposed Subpoena for Joseph Chwastyk; Application and Proposed Subpoena for David H. Gamble, have been served this 13th day of November, 1984, by mailing a copy first-class postage prepaid to the following:

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

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*Administrative Judge
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*Administrative Judge
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Atomic Safety & Licensing Board
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Washington, D.C. 20555

Mr. Henry D. Hukill
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GPU Nuclear Corporation
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Atomic Safety & Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. and Mrs. Norman Aamodt
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Atomic Safety & Licensing Appeal
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*Jack R. Goldberg, Esq.
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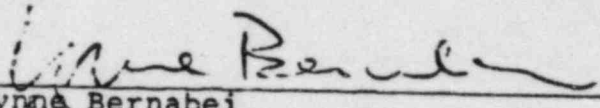
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Lynne Bernabei

* Served by hand.