



UNITED STATES  
CLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555  
October 18, 1984

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The Honorable Paul S. Sarbanes  
United States Senate  
Washington, D.C. 20510

Dear Senator Sarbanes:

Thank you for your inquiry on behalf of John Merryman, Jr., regarding, the status of the Three Mile Island Unit 1 (TMI-1) restart proceeding.


On May 24, 1984, an NRC Appeal Board, which was reviewing the record of the restart proceeding, issued its decision (ALAB-772) finding the hearing record inadequate to permit an ultimate judgment on the management competence and integrity of the licensee, General Public Utilities, and remanding several issues to the Licensing Board for further hearings.

On September 7, 1984, the Commission decided to take review of ALAB-772 and certain related matters. The Commission will not make any decision on whether to lift effectiveness of the TMI-1 shutdown order before it completes its review and decides whether further hearings are needed. In the interim, the management integrity hearings that have been ordered by the Appeal Board will be allowed to proceed.

The Commission's next step is to undertake and complete the review of ALAB-772 and related matters. This will involve receiving written briefs from the parties to the restart proceeding and making a decision after review of those briefs. Past experience indicates that the time involved might range from 90 to 150 days from the time review is taken.

When the Commission has completed its review, it will then decide whether further hearings are required and, if so, whether the public health, safety and interest require completion of those hearings prior to a decision on lifting effectiveness. I am enclosing two orders of the Commission, dated September 11, 1984, which relate to the Commission's decision. Commissioner Asselstine did not approve this approach. His dissenting views are attached to the enclosed order (CLI-84-18).

Sincerely,



Carlton Kammerer, Director  
Office of Congressional Affairs

Enclosures:  
9/11/84 TMI Orders