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May 13, 1986
 5211-86-2048

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Mr. Harold Denton, Director
 Office of Nuclear Reactor Regulation
 U.S. Nuclear Regulatory Commission
 Washington, DC 20555

Dear Mr. Denton:

Three Mile Island Nuclear Station Unit 1 (TMI-1)
 Operating License No. DPR-50
 Docket No. 50-289
GPU Nuclear Corporation Organization and Staffing

In the Spring of 1983, the NRC staff identified a number of "open issues" as affecting the ability to complete the TMI-1 restart proceeding.

By letter dated June 10, 1983, GPU noted the staff's position and described the GPU Nuclear organization and staffing and the bases for confidence in their capability and integrity. It also identified steps which were being taken to provide additional assurance "during the period necessary to resolve the open issues".

The steps identified in the June 10, 1983 letter included:

"We will, prior to restart, add full-time on-shift operational quality assurance coverage by degreed engineers until the open issues are resolved."

"We will reassign personnel such that those functions which provide an overview assessment, analysis, or audit of plant activities specifically:

- General Office Review Board
- Independent On-Site Safety Group
- Shift Technical Advisors
- Q/A Audit
- Q/A and Q/C Site Staff
- Licensing
- Radiation Control
- Emergency Preparedness

will contain only personnel with no pre-accident involvement as employees at TMI-1 or 2. We will continue this constraint until the open issues are effectively resolved."

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Since June of 1983, the "open issues" have been the subject of a number of investigations. The Commission in its February 25, 1985 Memorandum and Order (CLI-85-2) addressed the results of investigations of the open issues and found that further hearings within the TMI-1 restart proceeding were not warranted. The Commission stated that in its analysis it did not rely on either of the commitments listed above. The Commission did state, however, its intention to institute a hearing separate from the TMI-1 restart proceeding to determine the ultimate status of those likely involved in the TMI-2 leak rate falsifications and established a requirement to provide assurance that "none of those likely involved in the TMI-2 falsifications, or who had direct management supervision over operations, occupy responsible management or operational positions at TMI-1 without specific Commission approval". That requirement was made a condition for TMI-1 restart.

As reflected in the June 1983 letter, our intent was and is to remove restrictions on assignment of our employees as soon as possible. This was confirmed in "Licensee Comments in Response to CLI-84-18 filed with the Commission on October 9, 1984 which said:

"With regard to reassignment of those employees temporarily reassigned or barred from certain future assignments by Licensee until the open issues were resolved, Licensee desires to have the ability to use each of them within its nuclear activities without restriction at the earliest date possible. We would expect that completion of the investigations now underway and any NRC assessment of the results would result in an overall conclusion that anyone not specifically identified as having behaved improperly would no longer need to be restricted by us or anyone else with regard to nuclear activities. We believe that these employees are, in fairness, entitled to no less."

"The great majority of the GPU System employees who have been temporarily reassigned or barred from certain future assignments until the open issues are resolved have invested a significant part of their lives in acquiring their nuclear training and skills. They should not be deprived of the opportunity to utilize that training and these skills as an employee of the Licensee or any other organization with which they may be associated in the future, unless there is substantial evidence to establish that this is required by the public interest or by violation of the employment and corporate policies of their employer . . ."

"Attachment I is a list of the MetEd exempt employees at TMI in March, 1979, showing those specifically addressed and those reassigned in accordance with Mr. Dieckamp's letter of June 10, 1983. The current assignment of those individuals (i.e., with GPU Nuclear, with other GPU System companies, or no longer with the GPU System) is identified. GPU Nuclear is interested in resolving any open questions so as to permit unrestricted use of all of these employees now employed by GPU

Nuclear, including use in overview assessment, analysis or audit of TMI-1 plant activities."

The June, 1983 commitments described above were to apply "until the open issues are resolved". GPU Nuclear is satisfied that, with the exception of TMI-2 leak rate testing to which the Commission restart condition is addressed, they are resolved.

This letter is to advise that the commitments of the June 10, 1983 letter have been fulfilled. Therefore, subject to the limitations of the Commission's Restart Order:

- 1) Beginning June 1, 1986 and as opportunities arise, we plan to utilize persons who were MetEd exempt employees at TMI-1 or 2 before the TMI-2 accident in such TMI-1 functions as Independent On-site Safety Review Group, shift technical advisor, and QA audit for which they qualify.
- 2) We plan to continue QA surveillance of operations at TMI-1 as required by our Quality Assurance Plan. We expect to include persons with technical degrees among those conducting such surveillances. We will include some backshift and weekend coverage. However, after June 1, 1986 it will not continue as full-time coverage.

If you have any questions on this matter, we would be pleased to respond.

Sincerely,



P. R. Clark
President

pfk 1245

cc: The Honorable Richard Thornburgh, Governor of Pennsylvania
Dr. Frank M. Wright, Secretary, Governor's Office Policy and Planning
Mr. Frank J. Miraglia, Jr., Deputy Director, Division of Licensing, NRC
Dr. Thomas E. Murley, Regional Administrator, Region 1, NRC
Mr. John F. Stolz, Chief, Operating Reactors, Branch 4, NRC
Mr. James M. Taylor, Director, Office of Inspection & Enforcement, NRC
Mr. John O. Thoma, TMI-1 Project Manager, NRC