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RELATED CORRESPONDENCE

June 6, 1986

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING BOARD



In the Matter of _____
INQUIRY INTO THREE MILE
ISLAND UNIT 2 LEAK RATE
DATA FALSIFICATION

)
)
) Docket No. LRP
)
) ASLBP No. 86-519-02 SP
)
)

GPU NUCLEAR CORPORATION'S COMMENTS
ON PROPOSED ADDITIONAL DOCUMENTS

In its Memorandum and Order of May 22, 1986, the Presiding Board directed all parties to file by June 6, 1986, comments on the Board's proposal to include redacted versions of identified NRR and OI Reports as exhibits in the record of this proceeding. Memorandum and order dated May 22, 1986, at 3. On June 6, the date for responding regarding the OI Report was extended to June 23.

GPU Nuclear has no objection to admitting the identified NRR report in its appropriate entirety as the same is redacted consistent with the Board's direction for removal of information outside of or unrelated to the scope of the hearing, and consistent with the Privacy Act, 10 C.F.R. Part 9, and 10 C.F.R. § 2.790(a). Nor does the Board's proposal to introduce this report prompt GPU Nuclear now to propose any different witnesses or additional documents for the record. We do, however, offer the following comments.

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First, some supporting documents referenced in the NRR Report were not received with it, nor did they accompany the OI Report. These documents, identified as "References" and "Enclosures" within the NRR Report but not physically appended in the version of the report distributed by the staff on May 16, include reports of interviews of various individuals,^{1/} and items such as "Reference 4," Enclosure 5 page 1 (letter from M.V. Cooper to H.L. Thompson dated July 2, 1984). We request that all documents referred to in the NRR Report not appropriately redacted under the Board's guidelines be provided to the parties. To the extent review of these additional documents, when received, suggests that their inclusion in the record is warranted, we will advise the Board.

Additionally, our position assumes that the September 5, 1985 Russell report (also distributed by the staff on May 16) will be introduced by Mr. Russell when he appears as a witness. That report, with its enclosure and attachments, provides relevant data on leak rate testing, broken down by particular tests, and by individuals involved.

Finally, while not related to the NRR and OI Reports, GPU Nuclear offers the following observations on other documents which were the subject of Board rulings in the May 22 Memorandum and Order:

^{1/} Apparently some of these interview reports are in addition to transcripts attached as Exhibits to the OI Report. Thus, Enclosure 13 to the NRR Report refers to (but does not attach) a "Sworn Statement of J.J. Blessing taken by OI on December 14, 1984," while the OI Exhibits lists and includes (Exhibit 6) a "Report of Interview" of Mr. Blessing, but no sworn statement.

1. The reference to "OI Report 1-23-011" at page 7 of the Memorandum and Order is assumed to be a typographical error and to refer to "OI Report 1-83-010."
2. The Board's reference to a memorandum of October 27, 1978, at page 9 of its May 22, 1986 Order GPU Nuclear believes should refer to a memorandum from J.R. Floyd dated October 20, 1978, which is included in the Stier Report, Vol. V(c) Tab 34 and which is the same as Employee's Item 8. (See LRP Tr. 182-83.)

Dated: June 6, 1986

Respectfully submitted,



J. Patrick Hickey

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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 1986, I served the foregoing "GPU Nuclear Corporation's Comments on the Proposed Board Definition of a 'Valid' Leak Rate Test and on Use of Prior Statements" by mailing, first class, postage prepaid, a copy thereof to the following persons:

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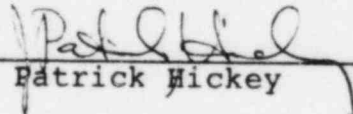
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