

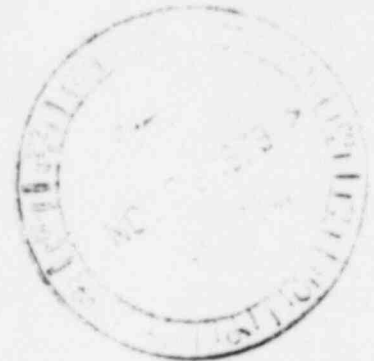
November 20, 1979

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

Docket No. 50-289  
(Restart)



LICENSEE'S OBJECTION TO  
TMIA REVISED CONTENTION 4

Counsel for TMIA submitted on November 13, 1979, a revised version of TMIA Contention 4. Revised Contention 4 predicts without basis that if TMI-1 is restarted, there is the potential for civil disruptions in the area of TMI which would threaten the security of the nuclear facility. It further leaps from this premise to suggest, again without basis, that a breach of security would mean severe consequences, including sickness and death due to resultant radiation releases. For the reasons set forth below, Licensee objects to the admissibility of this contention in its revised form.

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Licensee objects first because this contention is beyond the scope of this proceeding. It is beyond the scope under either Licensee's or the NRC staff's view of the scope of the proceeding. Both Licensee and the staff agree that the scope of this proceeding is confined to the basis for suspension (Tr. 151 & 365). Whether these bases for suspension are confined to matters covered in orders and bulletins issued to other B&W

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reactor owners (Licensee's view) or to matters having a clear and close analogue to the TMI-2 accident (NRC staff view), this contention falls outside the basis for suspension and therefore outside the scope of the proceeding. Second, Licensee objects because TMIA continues to ignore the requirement to set forth an adequate basis for the prediction that civil disruptions will occur that will threaten the security of TMI, much less that a threat to security translates into "the release of high levels of radiation into the air and water, causing sickness and death."

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By

  
George F. Trowbridge

Dated: November 20, 1979

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SERVICE LIST

Ivan W. Smith, Esquire Chairman Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555	John A. Levin, Esquire Assistant Counsel Pennsylvania Public Utility Commission P. O. Box 3265 Harrisburg, Pennsylvania 17120
Dr. Walter H. Jordan Atomic Safety and Licensing Board Panel 881 West Outer Drive Oak Ridge, Tennessee 37830	Karin W. Carter, Esquire Assistant Attorney General Commonwealth of Pennsylvania 505 Executive House P. O. Box 2357 Harrisburg, Pennsylvania 17120
Dr. Linda W. Little Atomic Safety and Licensing Board Panel 5000 Hermitage Drive Raleigh, North Carolina 27612	Robert L. Knupp, Esquire Assistant Solicitor County of Dauphin P. O. Box P 407 North Front Street Harrisburg, Pennsylvania 17108
James A. Tourtellotte, Esquire Office of the Executive Legal Director U.S. Nuclear Regulatory Commission Washington, D.C. 20555	John E. Minnich Chairman, Dauphin County Board of Commissioners Dauphin County Courthouse Front and Market Streets Harrisburg, Pennsylvania 17101
Docketing and Service Section Office of the Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Walter W. Cohen, Esquire Consumer Advocate Department of Justice 14th Floor, Strawberry Square Harrisburg, Pennsylvania 17107

Jordan D. Cunningham, Esquire  
Attorney for Newberry Township  
T.M.I. Steering Committee  
2320 North Second Street  
Harrisburg, Pennsylvania 17110

Theodore A. Adler, Esquire  
Widoff Reager Selkowitz & Adler  
P. O. Box 1547  
Harrisburg, Pennsylvania 17105

Ellyn Weiss, Esquire  
Sheldon, Harmon & Weiss  
Suite 506  
1725 Eye Street, N.W.  
Washington, D.C. 20006

Steven C. Sholly  
304 South Market Street  
Mechanicsburg, Pennsylvania 17055

Frieda Berryhill  
Chairman, Coalition for Nuclear  
Power Plant Postponement  
2610 Glendon Drive  
Wilmington, Delaware 19808

Holly S. Keck  
Legislation Chairman  
Anti-Nuclear Group Representing  
York  
245 West Philadelphia Street  
York, Pennsylvania 17404

Karen Sheldon, Esquire  
Sheldon, Harmon & Weiss  
Suite 506  
1725 Eye Street, N.W.  
Washington, D.C. 20006

Robert Q. Pollard  
Chesapeake Energy Alliance  
609 Montpelier Street  
Baltimore, Maryland 21218

Chauncey Kepford  
Judith H. Johnsrud  
Environmental Coalition on  
Nuclear Power  
433 Orlando Avenue  
State College, Pennsylvania 16801

Marvin I. Lewis  
6504 Bradford Terrace  
Philadelphia, Pennsylvania 19149

Marjorie M. Aamodt  
R. D. 5  
Coatesville, Pennsylvania 19320

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