

NRC PUBLIC DOCUMENT ROOM

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 RESPONSE TO "AMENDMENT TO
INTERVENTION" OF JANE LEE

In an undated letter docketed by the Nuclear Regulatory Commission on August 20, 1979, Jane Lee sought permission "to participate in testifying at the TMI-1 hearings tentatively scheduled for February 1, 1980." In particular, Ms. Lee requested time to submit "medical and environmental information garnered . . . over a three year period" to "the NRC Panel selected for the purpose of deciding the continued operation of Unit 1 at TMI." In an August 30 filing in this proceeding, Metropolitan Edison Company ("Licensee") noted that it understood Ms. Lee's letter to be a request to make a limited appearance pursuant to 10 C.F.R. §2.715(a), and not a petition to intervene pursuant to 10 C.F.R. §2.714(a). Licensee further stated that it did not object to Ms. Lee's limited appearance, either by oral or written statement, with respect to matters germane to this proceeding. Licensee served a copy of its response to Ms. Lee's letter upon her.

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In a document dated October 15 entitled "Amendment To Intervention," Ms. Lee requests that she be granted full intervener status in this proceeding. However, whatever interest might be presumed from the fact that her residence is within three miles of the plant site, her petition does not set forth anything resembling specific contentions.

Moreover, although Petitioner received a copy of the Board's September 18 Memorandum^{*/} in which the Board sets a tentative deadline of October 5 for submission of draft contentions to Licensee and NRC Staff, and a tentative deadline of October 22 for submission of final contentions to Licensee and the Staff, Petitioner has not attempted to comply with the Board's schedule. Licensee and the Staff have already met with other petitioners who have timely filed their contentions, and are this date submitting responses to those petitioners' final contentions. Any attempt to accomodate this Petitioner as an intervener will only delay these proceedings, with accompanying inconvenience and

^{*/} In the first paragraph of her Amendment To Intervention, Ms. Lee cites the Board's September 18 Memorandum. Licensee does not know whether Ms. Lee received copies of additional Board memoranda and orders. Even if she did not, however, the September 18 Memorandum was sufficient to require Ms. Lee to make further contact with the Board or with the Staff or Licensee if she desired full intervener status.

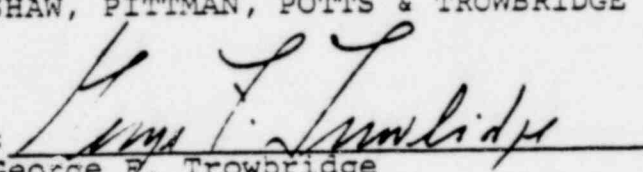
expense to Licensee, the Staff, and the other petitioners.

Licensee still has no objection to Ms. Lee's limited appearance, either by oral or written statement, with respect to matters germane to this proceeding.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By:


George F. Trowbridge

Dated: October 31, 1979

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October 31, 1979

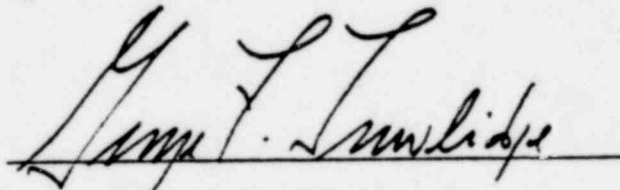
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Response to 'Amendment To Intervention' of Jane Lee," dated October 31, 1979, were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, this 31st day of October, 1979.


George F. Trowbridge

Dated: October 31, 1979

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