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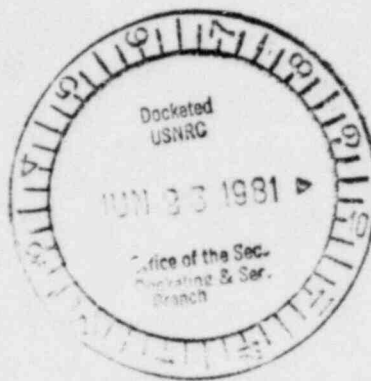
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WRITER'S DIRECT DIAL NUMBER

822-1084



June 22, 1981

Administrative Judge
Ivan W. Smith
U.S. Nuclear Regulatory Commission
Atomic Safety & Licensing
Board Panel
Washington, D.C. 20555

Administrative Judge
Walter H. Jordan
Atomic Safety and Licensing Board
881 West Outer Drive
Oak Ridge, Tennessee 37830

Administrative Judge
Linda W. Little
Atomic Safety and Licensing Board
5000 Hermitage Drive
Raleigh, North Carolina 27612

In the Matter of
Metropolitan Edison Company
(Three Mile Island Nuclear Station, Unit No. 1)
Docket No. 50-289 (Restart)

Dear Chairman Smith and Drs. Jordan and Little:

I enclose for your information and the information of all participants a copy of a letter from Licensee's counsel to counsel for the Commonwealth of Pennsylvania reporting on the outcome of their discussions concerning the Commonwealth's May 15th proposed management findings.

Counsel for Licensee and the Commonwealth will endeavor to obtain the concurrence of other interested parties (i.e., NRC Staff and the Aamoδts) to introduce the enclosed letter as an exhibit in this

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Administrative Judge Ivan W. Smith
Administrative Judge Walter H. Jordan
Administrative Judge Linda W. Little
June 22, 1981
Page Two

proceeding. Failing to obtain concurrence, Licensee plans to move its admission in any event during the upcoming hearing session. In the event the exhibit is not accepted, Licensee plans to provide for the record through statement of counsel the commitments of Licensee identified in the letter.

Respectfully submitted,

Ernest L. Blake, Jr.
Ernest L. Blake, Jr.
Counsel for Licensee

ELB/tjc
Enclosure

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289 SP (Restart)
)	
(Three Mile Island Nuclear)	
Station, Unit No. 1))	

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WRITER'S DIRECT DIAL NUMBER

822-1084

June 22, 1981

Robert Adler, Esq.
Assistant Attorney General
505 Executive House
Post Office Box 2357
Harrisburg, PA 17120

Re: Met Ed (TMI-1)
NRC Restart Proceeding
NRC Docket No. 50-289

Dear Mr. Adler:

This letter will confirm the substance and outcome of discussions between Licensee and the Commonwealth of Pennsylvania regarding the concerns raised and positions taken by the Commonwealth in its Proposed Findings of Fact and Conclusions of Law on Management Issues, dated May 15, 1981.

In general, based on these discussions, including particularly exchanges of information, the clearing up of misunderstandings, and commitments by Licensee identified below, it is our understanding that the Commonwealth is prepared through its reply findings on management issues to be submitted on June 29, 1981, to withdraw all of its findings identified in paragraphs 35 through 117 and 150 through 154 of its May 15th management findings. Licensee further

Robert Adler, Esq.
June 22, 1981
Page Two

understands that the Commonwealth is not prepared at this time to withdraw its proposed management findings related to shift staffing (paragraphs 120-137), operational personnel (paragraphs 138-149), and financial qualifications (paragraphs 155-162). Licensee expects to respond to the Commonwealth's position on financial qualifications in Licensee's reply findings. With respect to shift staffing and operational personnel, Licensee understands that the Commonwealth's concerns center on Licensee's ability to respond adequately at the outset of an emergency with shifts manned with less than 2 SROs, and that the Commonwealth is not prepared to revise its position on these subjects as reflected in its related management findings until the record has been completed on emergency planning; Licensee expects to respond to the Commonwealth's findings on shift manning and operational personnel (other than emergency plan implementation aspects) in its June 29th reply findings.

Specifically, we understand that the following form the principal bases for the Commonwealth's intention to withdraw certain findings:

1. With respect to Commonwealth of Pennsylvania management findings 35-52, particularly paragraph 51:

- a. Licensee commits to examine, prior to restart, on the subject matter identified in Commission Order Item 1.e. (i.e., Category T examination) the four remaining individuals of the thirty-six whom Licensee has certified for NRC licensed operator examination prior to restart of TMI-1. Licensee understands that NRC will not issue licenses to these individuals until each has passed with a 90% grade a Licensee-administered Category T examination which NRC must evaluate and determine to be acceptable for this purpose. Licensee further understands that all previous Category T examinations will be evaluated by the NRC prior to restart. Any Category T examination utilized by Licensee and determined by NRC not to be acceptable would require that another examination, acceptable to NRC, be constructed, and be administered to all Licensee operators who had passed the examination found not to be acceptable.

Robert Adler, Esq.
June 22, 1981
Page Three

b. Licensee commits to provide, prior to restart, to all of its licensed operators at least three additional days of training covering the TMI-2 accident subject matter.

2. With respect to Commonwealth of Pennsylvania management findings 53 through 70, particularly paragraphs 55 and 70:

a. Licensee commits to have all of its operators who have not previously held NRC licenses take at the B&W simulator an NRC-administered examination, in addition to their written examinations and the operating examinations at TMI-1. Licensee acknowledges NRC's future plans to conduct operator examinations on simulators and the potential value of NRC evaluations in the future of on-shift emergency drills conducted by Licensee. In its reply findings on management Licensee will propose that the Board take particular note of these future possibilities and that it encourage the Staff to utilize simulator examinations and to formalize its system of evaluating on-site shift emergency drills by operators.

3. With respect to Commonwealth of Pennsylvania management findings 71 through 87, particularly paragraphs 85, 86 and 87:

a. Licensee commits to have available for use at TMI-1 prior to restart the cathode ray tube (CRT) part-task simulator which displays temperature and pressure as described by Dr. Long at Tr. 12,258-63.

b. Licensee commits to prepare for bids and distribute prior to April 1, 1982, specifications for a TMI-1 exact replica simulator anticipated to be installed in 1985.

c. Licensee commits prior to restart to contract for a basic principles trainer for TMI-1 anticipated to be installed in 1982 and, following its availability, to provide for each operator as a part of annual requalification training at least one week training per year on this trainer in addition to the week each year at B&W's simulator, at least until Licensee's exact replica simulator is available.

Robert Adler, Esq.
June 22, 1981
Page Four

4. With respect to Commonwealth of Pennsylvania management findings 88 through 105, particularly paragraph 104:

a. Licensee commits to provide, prior to restart, to the members of Licensee's senior management who have joined Licensee in the last two years and who are designated to act as Emergency Directors or as Emergency Support Directors, a formal training course addressing site-specific plant design features. Licensee understands that the Commonwealth does not challenge the qualifications of any member of Licensee's senior management to act in his presently designated organizational position, or to function under routine plant operations.

5. With respect to Commonwealth of Pennsylvania management findings 106 through 111, particularly paragraph 111:

a. Licensee commits to conduct training of all of its operators in ATOG procedures before ATOG is implemented at TMI-1. Licensee understands that the Commonwealth's position on ATOG implementation schedule is that set out in paragraph 155 of the Commonwealth's findings on Plant Design and Modification Issues (First Set) of June 4, 1981, and not that set out in its May 15th Management findings.

6. With respect to Commonwealth of Pennsylvania management findings 112 through 117, particularly paragraph 117:

a. Licensee understands that the Commonwealth, based on personal observation of the attitudes of Licensee personnel displayed during the course of the June 2, 1981, emergency exercise, is satisfied that Licensee operational and emergency personnel have been imbued with a proper, serious attitude towards their responsibilities to the health and safety of the public in the performance of their duties at TMI-1.

7. With respect to Commonwealth of Pennsylvania management findings 150 through 154, particularly paragraph 153:

a. Licensee recognizes its obligation to have available adequate engineering support for TMI-1's radwaste activities. Licensee has informed the Commonwealth that the position of Radwaste Engineer at TMI-1

SHAW, PITTMAN, POTTS & TROWBRIDGE

Robert Adler, Esq.
June 22, 1981
Page Five

has been filled by hiring from outside the GPU Nuclear organization an individual with a B.S. degree and two years of related experience. Licensee understands that this satisfies the Commonwealth's concerns with the TMI-1 Radwaste organization.

Based on the exchanges of information between Licensee and the Commonwealth, the clearing up by Licensee of misunderstandings on the part of the Commonwealth, and the commitments by Licensee identified in paragraphs 1 through 5 above, Licensee understands that the Commonwealth's concerns expressed in paragraphs 35 through 117 and 150 through 154 of their May 15th management findings have been alleviated. Licensee further understands that the Commonwealth is prepared to leave to the NRC the future evaluation and enforcement, as necessary, of Licensee's implementation of commitments contained in paragraphs 1 through 5 above, so long as Licensee does not object to the imposition of any or all of these commitments as license conditions for the restart of TMI-1. In recognition of the Commonwealth's position, Licensee will not object to the commitments identified in paragraphs 1 through 5 above in the event any or all of them are imposed as license conditions for the restart of TMI-1.

Sincerely,

SHAW, PITTMAN, POTTS & TROWBRIDGE

BY: Ernest L. Blake, Jr.
Ernest L. Blake, Jr.
Counsel for Licensee

ELB/tjc