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July 13, 1981

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

Re: TMI-1 Restart, Docket No. 50-289

Dear Members of the Board:

Enclosed are UCS's Proposed Findings of Fact on UCS Contention 12 and reply findings on UCS 1, 2, 3, and 5.

As you will recall, UCS proffered Exhibit 39, which consists of selected pages from the Licensee's worksheets on the qualification of particular components. A ruling on its admissibility was deferred pending discussion among the parties to identify which of the sheets are already in Staff Exhibit 16 and the purpose which UCS intends to make of the remainder of the sheets.

The following pages of UCS 39 are duplicated in Staff Exhibit 16: 4, 27-37, 40, 41, 46-50, 54-B, 80 and 82-84. Thus, there is no need to include these separately in the UCS Exhibit.

Pages 13 and 39 were used during cross-examination by UCS and no party objects to their admission.

In addition, the following pages contain information identified by the Licensee in its master list for cold shutdown and indicate deficiencies in qualification: 8-12, 26, 42-45 and 74-79. My understanding is that no party objects to the admission of these at least for the purpose of arguing for a remedy.

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Pages 1, 2 and 3 of UCS Exhibit 39 pertain to equipment located inside containment and thus exposed to the SBLOCA environment. The purpose of this equipment is to isolate feedwater in the event of a steam line rupture. However, if they fail during a SBLOCA, they could isolate feedwater inappropriately and thus hamper mitigation of the SBLOCA. The Licensee reserves its right to argue in its reply findings that these pages are inadmissible. We have cited page 1 at paragraph 683 of our enclosed findings and, we believe, made the case for its relevance therein. Pages 2 and 3 are explanations of Page 1. In essence, the parties request the Board to rule on admissibility on the basis of the findings and reply findings of the parties, in order to obviate the need for additional pleadings.

The same arrangement has been made with respect to pages 5, 6, 7, 22, 24, 25, 38, 51, 52 and 81. These pages pertain to equipment needed to mitigate a SBLOCA which are not exposed to a harsh environment, but must be qualified to ambient conditions. The pages indicate that it has not been demonstrated that the components are qualified to ambient conditions, including aging. We have discussed these at paragraph 702 and, we believe, shown their relevance. The Licensee and Staff reserve their rights to object to their admissibility.

The remainder of the pages of Exhibit 39 have not been cited and may therefore be withdrawn.

Very truly yours,

Robert D. Pollard
Ellyn R. Weiss *for*

cc: TMI Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

I hereby certify that copies of "Union of Concerned Scientists Proposed Findings of Fact and Rulings of Law on UCS Contention 12" and "Union of Concerned Scientists Reply Findings on UCS Contentions 1,2,3, and 5" have been mailed postage pre-paid this 13th day of July, 1981, to the parties listed below.

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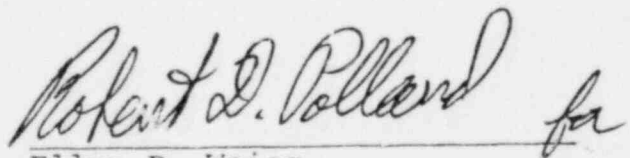
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