

# **TMIA: THREE MILE ISLAND ALERT, INC.**

315 Peffer St., Harrisburg, Penna. 17102 (717) 233-7897

October 25, 1982

'82 OCT 27 11:40

Commissioner Nunzio J. Palladino, Chairman  
Commissioner Victor Gilinsky  
Commissioner John F. Ahearne  
Commissioner Thomas M. Roberts  
Commissioner James K. Asselstine  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

OFFICE OF SECRETARY  
REGULATING & SERVICE  
BRANCH

Dear Commissioners:

Re: Metropolitan Edison Company, Docket No. 50-289  
Memorandum and Order CLI-82-31

In the above-referenced Memorandum and Order dated October 14, 1982, the Commissioners indicate that the newly organized Office of Investigations has commenced an investigation into the August 3, 1979 certification of the then Unit 2 Supervisor of Operations for license renewal. The individual, Mr. "VV," had cheated on his license requalification exam, and the Licensing Board has concluded that then TMI Station Superintendent Gary Miller, with the assent of then Met Ed Vice-President John Herbein, falsely certified VV's exam score to the NRC. Clearly, this incident raises an extraordinarily serious question concerning management's competence and integrity.

TMIA has consistently maintained that the evidence developed on the record of the Licensing Board proceedings regarding this incident is sufficient to warrant imposition of individual and company sanctions, referral of the incident to the U.S. Department of Justice for criminal prosecution, and revocation of the company's license to operate TMI. However, since the Commissioners have found a need to inquire further into the incident, TMIA would like to express its concern that certain matters be thoroughly investigated in connection with the episode.

Specifically, it is imperative that the following questions be thoroughly investigated and resolved:

- 1). What was the involvement or knowledge of GPU Nuclear President Robert C. Arnold in the decision to send the false statement to the NRC? TMIA believes that the preponderance of the evidence indicates that Arnold was indeed involved. The Licensing Board has only suggested that those who were specifically "copied" on the August 3, 1979 letter be investigated.
- 2). Why was VV removed from his position as TMI-2 Supervisor of Operations after the incident, and placed as a member of the accident investigation group, and were there other events surrounding VV at the time which caused Arnold to take this action, overruling the suggestions of Miller and Herbein regarding disciplinary action against VV? Also, did Arnold have as little knowledge about the incident at the time as he has maintained in his testimony?

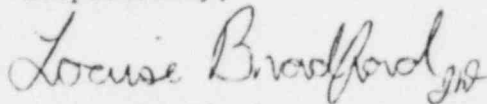
3). What was the extent of Mr. "O's" involvement at the time, who supplied VV with the answers in question and was later caught cheating on the April, 1981 NRC exams, and did Miller actually believe O's denials of wrongdoing? O was never disciplined for his actions. TMIA believes the evidence indicates that O was fully aware that he was supplying VV with exam answers, despite his denials, and that Miller, Herbein, et al, were likely aware of this.

4). How does this episode, which casts genuine doubt on the ethical judgement and competence of at least Miller and Herbein, relate to their judgements surrounding the issue of "information flow" during the accident? The Licensing Board, in §§ 2317-2318 of the July 27, 1982 Partial Initial Decision, raises this issue, but as in the August 27, 1981 PID, refuses to make findings on it. This event occurred only a few months after the accident, and involves the same individuals who were the focus of various investigations into information flow failures during the accident.

5). How did both the material false statement incident and the related information flow issues, factor, if at all, into the company's decision to first place Herbein as GPU Nuclear Vice President for Nuclear Assurance, and Miller as head of TMI-1 start up and testing, and their recent removals to non-nuclear positions? The company has never portrayed any of these moves as relating to either the accident, or the material false statement incident.

TMIA believes that a thorough investigation of each of these questions is crucial to a full resolution of the issues surrounding the August 3, 1979 letter, and of their true significance relating directly to management, and individual managers' competence. We trust the Commissioners will be responsive to TMIA's concerns.

Respectfully,



Louise Bradford  
TMIA